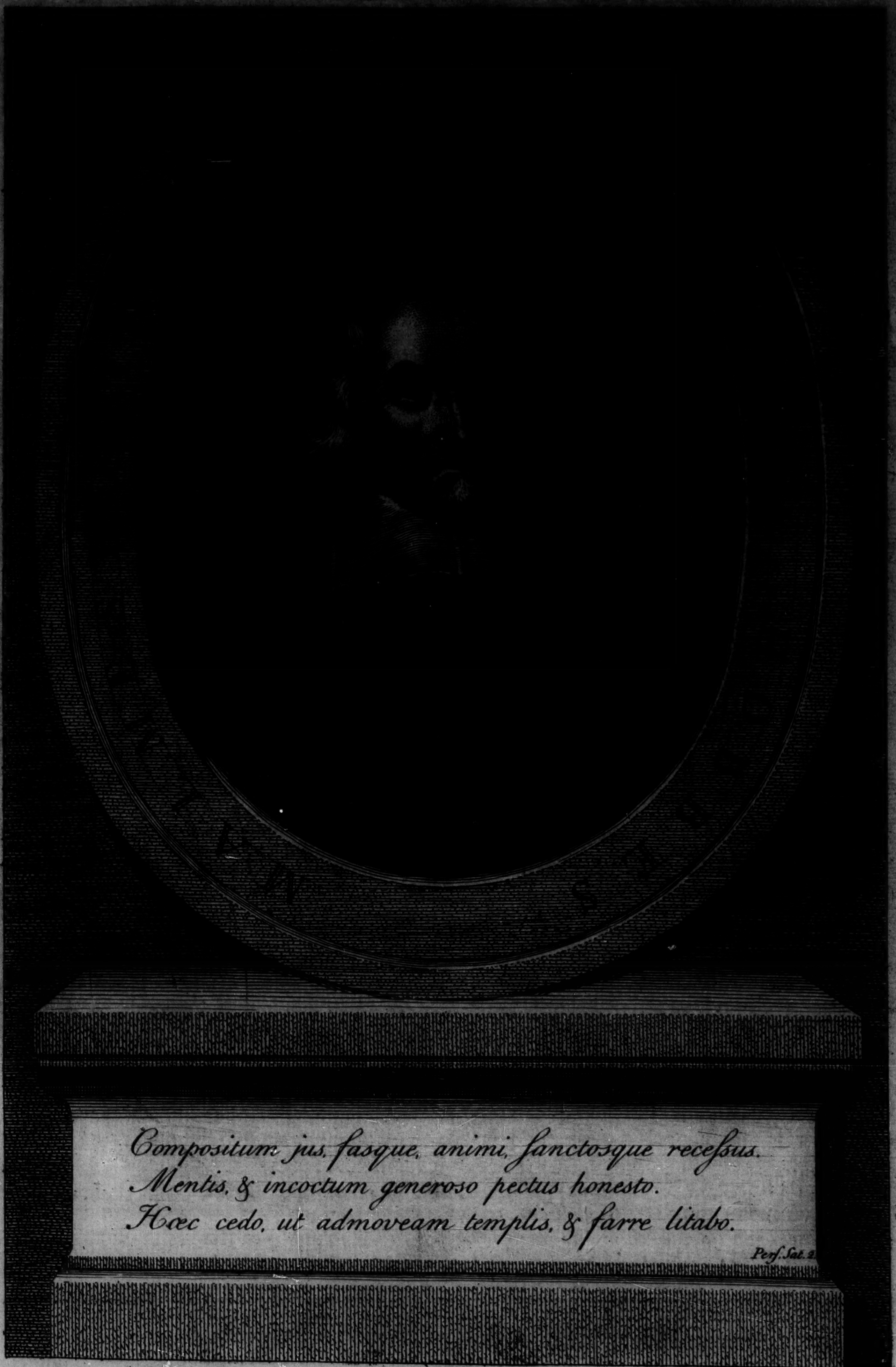

Compositum jus, fasque, animi, ſanctosque receſsus.
Mentis, & incoctum generoso pectus honesto.
Hœc cedo, ut admoveam templis, & farre litabo.

Perſ. Sat. 2.

THE

MORAL and POLITICAL

WORKS

OF

THOMAS HOBBES

OF

MALMESBURY.

Never before collected together.

To which is prefixed,

The AUTHOR'S LIFE,

EXTRACTED FROM

That ſaid to be written by HIMSELF,

AS ALSO FROM

The SUPPLEMENT to the ſaid LIFE by Dr. BLACKBOURNE; and farther illuſtrated by the EDITOR, with Hiſtorical and Critical Remarks on his Writings and Opinions.

LONDON:
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The Goldsmiths' Library

IN
Libellum præſtantiſſimi
THO. HOBBII
Veri verè Philoſophi, de Naturâ Hominis.

QUÆ magna *Cœli* mœnia, & tractus *Maris*,
Terræque fines, ſiquid aut ultra eſt, capit;
Mens ipſa tandem capitur: *Omnia* hactenus
Quæ nôſſe potuit, nota jam primùm eſt *Sibi*.
Accede, *Lector*, diſce quis demùm ſi es;
Et Inquilinam jecoris agnoſcas tui,
Qua *propiùs* hæret nil tibi, & nil tàm *procul*.
Non hic *Scholarum frivola*, aut *Caſſi logi*,
Quales per annos fortè plus ſeptem legit;
Ut folle pleno prodeat, *Rixæ Artifex*;
Vanaſque merces futili linguâ crepet:
Sed ſancta Rerum pondera, & ſenſus graves,
Quales parari decuit, ipſa cùm fuit
Pingenda *Ratio*, & vindici ſuo adſtitit.
Panduntur omnes *Machinæ* gyri *tuæ*,
*Animæ*que Vectes, Trochleæ, Cunei, Rotæ;
Quâ concitetur arte, quo ſufflamine
Siſtatur illa rurſus, & conſtet ſibi:
Nec ſi Feneſtram pectori humano ſuam
Aptâſſet ipſe *Momus*, inſpiceret magis.
Hîc cerno levia *Affectuum* veſtigia,
Gracileſque *Senſûs* lineas; video quibus
Vehantur alis blanduli *Cupidines*,
Quibuſque ſtimulis urgeant *Iræ* graves:
Hîc & *Dolores*, & *Voluptates* ſuos
Produnt receſſus; ipſe nec *Timor* latet.

Has nôrit artes quiſquis in foro velit
Animorum habenas flectere, & populos cupit
Aptis ligatos nexibus jungi ſibi.
Hîc *Archimedes* publicus figat pedem,
Siquando regna machinis politicis
Urgere ſatagit, & feras gentes ciet,
Imiſque Motum ſedibus mundum quatit:
Facile domabit cuncta, qui Menti imperat.
  Conſultor audax, & *Promethæi* potens
Facinoris Anime! quis tibi dedit *Deus*
Hæc intueri ſæculis longè abdita,
Oculoſque luce tinxit ambroſiâ tuos?
Tu mentis omnis, at tuæ nulla eſt capax.
Hâc laude Solus fruere: Divinum eſt opus
Animam creare; proximum huic, Oſtendere.

Rad. Bathurst, A. M.
Col. Trin. *Oxon.*

To Mr. HOBBES.

I.

VAST *Bodies* of *Philoſophy*
  I oft have ſeen and read,
  But all are *Bodies dead*,
  Or *Bodies* by *Art faſhioned*.
I never yet the *Living Soul* could ſee,
    But in thy *Books* and *Thee*.
  'Tis only *God* can know
Whether the fair *Idea* Thou doſt ſhow
Agree entirely with his *own* or no.
    This I dare boldly tell,
'Tis ſo *like Truth* 'twill ſerve our turn as well.
Juſt, as in *Nature*, Thy *Proportions* be,
As full of *Concord* their *Variety*,
As *firm* the Parts upon their *Center* reſt,
And all ſo *ſolid* are, that they at leaſt
As much as *Nature*, *Emptineſs deteſt*.

II.

Long did the mighty *Stagyrite* retain
The *univerſal Intellectual Reign*,
Saw his own Country's ſhort-liv'd *Leopard* ſlain:
The ſtronger *Roman Eagle* did out-fly,
Oftener *renew'd* his *Age*, and ſaw that *die*.
Mecca itſelf, in ſpight of *Mahomet* poſſeſs'd,
And chas'd by a wild *Deluge* from the *Eaſt*,
His *Monarchy* new planted in the *Weſt*.
But as in Time each great Imperial Race
Degenerates, and gives ſome new one place:
So did this noble *Empire* waſte,
Sunk by Degrees from Glories paſt,
And in the *Schoolmen*'s Hands it periſh'd quite at laſt.
Then nought but *Words it grew*,
And thoſe all *barb'rous* too.
It *periſh'd*, and it *vaniſh'd* there:
The *Life* and *Soul* breath'd out, became but empty *Air*.

III.

The *Fields* which anſwer'd well the *Ancients Plow*,
Spent and out-worn return no *Harveſt* now,
In barren *Age* wild and unglorious lie,
And boaſt of *paſt Fertility*,
The *poor Relief of preſent Poverty*.
Food and *Fruit* we now muſt want,
Unleſs new *Lands* we *plant*.
We break up *Tombs* with *ſacrilegious Hands*;
Old *Rubbiſh* we remove;
To walk in *Ruins*, like vain *Ghoſts*, we love.
And with fond *divining Wands*
We ſearch among the *Dead*
For Treaſures *buried*,
Whilſt ſtill the *liberal Earth* does hold
So many *Virgin-mines* of *undiſcover'd Gold*.

IV.

The *Baltick*, *Euxine*, and the *Caſpian*,
And ſlender-limb'd *Mediterranean*,
Seem *narrow Creeks* to *Thee*, and only fit
For the poor wretched *Fiſher-boats* of *Wit*.
Thy nobler *Veſſel* the vaſt *Ocean* tries,
And nothing ſees but *Seas* and *Skies*,
Till unknown *Regions* it deſcries;
Thou great *Columbus* of the *golden Lands* of *new Philoſophies*.
Thy Taſk was harder much than his;
For thy learn'd *America* is
Not only firſt found out by *Thee*,
And rudely left to *future Induſtry*;
But thy *Eloquence* and thy *Wit*,
Has *planted*, *peopled*, *built*, and *civiliz'd* it.

V.

I little thought before,
(Nor being my *own ſelf* ſo *poor*
Could comprehend ſo vaſt a *Store)*
That all the *Wardrobe* of rich *Eloquence*
Could have afforded half enough
Of *bright*, of *new*, and *laſting* Stuff,
To cloath the *mighty Limbs* of thy *gigantic Senſe*.
Thy ſolid *Reaſon*, like the *Shield* from Heaven
To the *Trojan Hero* given,
Too ſtrong to take a Mark from any mortal Dart,
Yet ſhines with *Gold* and *Gems* in every Part,
And *Wonders* on it grav'd by the learn'd Hand of *Art* ;
A *Shield* that gives Delight
Even to the *Enemy*'s Sight,
Then when they're ſure to *loſe* the *Combat* by't.

VI.

Nor can the *Snow* which now cold *Age* does ſhed
Upon thy reverend Head,
Quench or allay the noble *Fires* within ;
But all which Thou haſt *bin*,
And all that *Youth* can *be*, Thou'rt yet ;
So fully ſtill doſt Thou
Enjoy the *Manhood* and the *Bloom* of *Wit*,
And all the *natural Heat*, but not the *Fever* too.
So *Contraries* on *Ætna*'s Top conſpire ;
Here hoary *Froſts*, and by them breaks out *Fire*.
A ſecure *Peace* the *faithful Neighbours* keep ;
Th' embolden'd *Snow* next to the *Flame* does *ſleep*.
And if we weigh, like *Thee*,
Nature, and *Cauſes*, we ſhall ſee
That thus it *needs muſt be* ;
To Things *immortal*, *Time* can do no wrong ;
And that which never is *to die*, for ever muſt be *young*.

ABRAHAM COWLEY.

In *Tho. Hobbes*.

FUtilis exornet barbatos pompa magiſtros,
Eſt ſchola diſcipulos cogat inepta leves :
Affulſit nova lux tenebroſo *Hobbeſius* orbi,
Quanta eſt laus hominem reſtituiſſe ſibi ?

JO. AWBREY, Arm. e Soc. Reg.

In *Engliſh*.

EXterior Gravity may Schools erect,
Where idle Folks may empty Notions ſcan :
But *Hobbes* new Light did on the World reflect ;
How great his Praiſe who *Man* made known to *Man* ?

JO. AWBREY, Eſq; of the Royal Society.

On Mr. HOBBES, *and his Writings.*

By JOHN SHEFFIELD, Duke of *Buckingham.*

SUCH is the Mode of theſe cenſorious Days,
The Art is loſt of knowing how to praiſe;
Poets are envious now, and Fools alone
Admire at Wit, becauſe themſelves have none.
Yet whatſoe'er is by vain Criticks thought,
Praiſing is harder much than finding Fault;
In homely Pieces ev'n the *Dutch* excel,
Italians only can draw Beauty well.

As Strings, alike wound up, ſo equal prove,
That one reſounding makes the other move;
From ſuch a Cauſe our Satires pleaſe ſo much,
We ſympathize with each ill-natur'd Touch;
And as the ſharp Infection ſpreads about,
The Reader's Malice helps the Writer out.
To blame is eaſy; to commend is bold;
Yet, if the Muſe inſpires it, who can hold?
To Merit we are bound to give Applauſe,
Content to ſuffer in ſo juſt a Cauſe.

While in dark Ignorance we lay afraid
Of Fancies, Ghoſts, and ev'ry empty Shade;
Great HOBBES appear'd, and by plain Reaſon's Light,
Put ſuch fantaſtic Forms to ſhameful Flight.
Fond is their Fear, who think Men needs muſt be
To Vice enſlav'd, if from vain Terrors free;
The Wiſe and Good Morality will guide,
And Superſtition all the World beſide.

In other Authors, tho' the Thought be good,
'Tis not ſometimes ſo eas'ly underſtood;
That Jewel oft unpoliſh'd has remain'd;
Some Words ſhould be left out, and ſome explain'd;
So that in Search of Senſe we either ſtray,
Or elſe grow weary in ſo rough a Way.
But here ſweet Eloquence does always ſmile,
In ſuch a choice, yet unaffected Style,
As muſt both Knowledge and Delight impart,
The Force of Reaſon, with the Flow'rs of Art;
Clear as a beautiful tranſparent Skin,
Which never hides the Blood, yet holds it in:
Like a delicious Stream it ever ran,
As ſmooth as Woman, but as ſtrong as Man.

Bacon himſelf, whoſe univerſal Wit
Does Admiration through the World beget,
Scarce more his Age's Ornament is thought,
Or greater Credit to his Country brought.

While Fame is young, too weak to fly away,
Malice purſues her, like ſome Bird of Prey;
But once on Wing, then all the Quarrels ceaſe;
Envy herſelf is glad to be at Peace,
Gives over, weary'd with ſo high a Flight,
Above her Reach, and ſcarce within her Sight.
Hobbes to this happy Pitch arriv'd at laſt,
Might have look'd down with Pride on Dangers paſt:
But ſuch the Frailty is of Human Kind,
Men toil for Fame, which no Man lives to find;
Long rip'ning under-ground this *China* lies;
Fame bears no Fruit, till the vain Planter dies.

Thus Nature, tir'd with his unuſual Length
Of Life, which put her to her utmoſt Strength,
Such Stock of Wit unable to ſupply,
To ſpare herſelf, was glad to let him die.

THE LIFE OF

THOMAS HOBBES,

The Philoſopher of *Malmeſbury*.

THE Lives of learned and extraordinary Perſons are with equal Difficulty written, when the Materials for compoſing them are in ſome meaſure redundant, and when they are ſo ſcarce as to be next to none at all. We are at preſent in the firſt Caſe, our Author himſelf having left us ſome Memoirs, which have been very conſiderably augmented by his Friends; neither have there been wanting as large, if not larger Additions from ſuch as have declared themſelves his Enemies [a]. It is from a careful Examination of all theſe, that we have drawn the following

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[a] There appeared not long after the Deceaſe of Mr. *Hobbes*, three Hiſtories of his Life and Writings, all in the *Latin* Tongue; two of which are ſaid to be his own, and the third, which is the largeſt, was penn'd by a learned Phyſician, purely out of Regard to the Memory of ſo great a Man. We will ſpeak particularly of each of theſe Works, as well as of another, which never was publiſhed, and which notwithſtanding is reported to be more copiouſly and more exactly written than any of the three. The firſt of theſe in order of Time, tho' placed the laſt in this Collection, is that in *Latin* Verſe, which has this Title; *Thomæ Hobbes Malmeſburienſis vita Carmine expreſſa. Authore Seipſo.* That is, *The Life of Thomas Hobbes of Malmeſbury, Poetically expreſſed. Written by himſelf.* About this there is no Diſpute at all, the Author ſpeaks in his own Perſon, in his own Stile, and with that pleaſant kind of Confidence which was familiar to him. We ſhall have Occaſion to mention this again in the Text, and therefore we will ſay no more of it here. The firſt of the three Pieces in that Collection bears this Title; *Thomæ Hobbes, Angli, Malmeſburienſis Philoſophi, Vita:* That is, *The Life of Thomas Hobbes, an Engliſhman, Philoſopher of Malmeſbury*; and is ſaid to be printed, CAROLOPOLI *apud* Eleutherium Anglicum *ſub ſigno veritatis:* That is, *In* Charles's City *by* Freeman Engliſh, *at the Sign of* Truth. I ſuppoſe that this Method of concealing, if it can be called concealing, the Place where it was printed, and the Perſon by whom it was publiſhed, was on account of the Book's not being licenſed; and yet at the End, it is ſaid to be printed for *William Crooke*, at the Sign of the *Green Dragon* without *Temple-Bar*. It is inſcribed to the Right Honourable *William* Earl of *Devonſhire*, by the Editor; then follows a *Preface* to the *Reader*, wherein we are told that a Book concerning the Life and Manners of the deceaſed Mr. *Hobbes*, written by ſome learned Friend of his, coming by the interpoſition of *J. A. i. e. John Aubrey*, into his Hands, he thought it his Duty, out of Reſpect to the Memory of the Deceaſed, to publiſh it. This *Preface* is ſubſcribed only with the initial Letters *R. B.* which ſome very learned Foreigners underſtood to ſignify *Ralph Bathurſt*, Doctor of Divinity, and Dean of *Bath*, who was indeed a great Friend and Admirer of Mr. *Hobbes*, but not the Perſon to whom thoſe Initials refer; who was, as Mr. *Wood* tells us, *Richard Blackbourn*, Maſter of Arts, of *Trinity* College in *Cambridge*, and afterwards Doctor of Phyſick in the Univerſity of *Leyden*. After this ſhort Life, which contains no more than twenty Pages, follows one much longer, in Truth ten times as long, under this Title, *Vitæ Hobbianæ Auctarium:* That is, *A Supplement to the Life of* HOBBES. The Account which Mr. *Wood* gives of this Matter is in theſe Words, ſpeaking of the Inſcription upon the Grave-ſtone of Mr. *Hobbes*, and of the Account of his Perſon, "which, *ſays he*, you " may ſee at large in *Vitæ Hobbianæ Auctarium*, following the Life in Proſe, (written by himſelf) " and publiſhed by *Richard Blackbourn*." It appears from hence, that Mr. *Wood* aſcribes the firſt Life to Mr. *Hobbes* himſelf; and in the Catalogue of our Author's Works, he ſets it ſo down expreſly, and the Supplement to that Life is what he attributes to Dr. *Blackbourn*. He adds farther, that the Materials for this Supplement were all, or at leaſt the moſt Part, taken from the *Engliſh* Life in Manuſcript of *Thomas Hobbes*, largely and more punctually written by *John Aubrey* his ancient Acquaintance. This is very likely to be true, ſince beſides what is ſaid in the *Preface*, ſuch a Life in *Engliſh* is promiſed by an Advertiſement from the Bookſeller to the Reader, at the End of this Supplement. But after all this, there ſeems to be very good Reaſons to believe that the ſhort proſe Life, as well as the Supplement, was written by Dr. *Blackbourn*, notwithſtanding what he ſays himſelf,

following Account; in which the Reader will find a fair and candid Repreſentation of Facts, intirely diſencumbered both from Cenſure and Panegyrick, and occaſionally cleared and enlightened, by a brief Detail of ſuch Circumſtances as we judge might beſt contribute to make his real Character, as well as that of his Works, eaſily underſtood.

Thomas Hobbes was born at *Malmeſbury* in *Wiltſhire*, *April* the fifth, 1588. His Father was a Miniſter of that Town of the ſame Name, not very remarkable for his Learning, and who contented himſelf with reading to his Congregation the Homilies ſet forth by Authority, rather than adventure on compoſing Diſcourſes of his own. His Mother was ſo frighted with the News of the *Spaniſh* Fleet then upon the *Engliſh* Coaſt, that ſhe was brought to Bed of her Son *Thomas* before her Time, who notwithſtanding was of a ſtrong and healthy Conſtitution, contrary to what uſually happens in ſuch Caſes. At four Years old he was taught to read; and when he was about ſix, he began to apply himſelf to the learned Languages. When he was in the eighth Year of his Age, he was put under the Care of Mr. *Robert Latimer*, then Maſter of the Grammar-School at *Malmeſbury*; who entertaining very early a great Opinion of his Parts, treated him with much Kindneſs and Indulgence, and gave him all poſſible Aſſiſtance in his Studies. In theſe he is ſaid to have made ſo extraordinary a Progreſs, that before he was ſent to the Univerſity, he tranſlated the *Medea* of *Euripides* out of *Greek* into *Latin* Verſe.

In 1603 he was entered of *Mary Magdalen* Hall in *Oxford*, of which Dr. *Huſſee* was then Principal, who was afterwards knighted, and became Chancellor of the Dioceſe of *Saliſbury*; a Man learned himſelf, and a true Patron of Letters. While at College, he was chiefly ſupported by an Allowance from his Uncle, who was Alderman of *Malmeſbury*, the chief Office in that Corporation, and who at his Death left him a ſmall Annuity, that he might not be obliged to deſert his Studies. In 1607 our Author took the Degree of Batchelor of Arts, which he compleated by Determination. The Year following, by the Recommendation of Mr. *John Wilkinſon* then Principal of *Magdalen* Hall, he was taken into the Family of the Right Honourable *William Cavendiſh* Lord *Hardwicke*, ſoon after created Earl of *Devonſhire*, in quality of Tutor to his Son *William* Lord *Cavendiſh*, with whom being much of an Age, he was admitted into an extraordinary Degree of Intimacy, ſo as not only to attend him at the Seaſons ſet apart for Study, but to be the Companion alſo of his vacant Hours, and a Sharer in the manly Sports of Hawking, Hunting, and other innocent Diverſions, to which that young Lord was much inclined.

By his eaſy and affable Deportment, Mr. *Hobbes* recommended himſelf ſo effectually both to this young Nobleman, and to the worthy Peer his Father, that he was ſent Abroad with him on his Travels in 1610, and made the Tour of *France* and *Italy*; which gave him an Opportunity of making himſelf compleatly Maſter of the Languages ſpoken in thoſe Countries, as well as of the politer Parts of Learning. Upon his

Return

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himſelf, and what is ſaid for him by Mr. *Wood*. For in the firſt Paragraph of the Supplement he tells us, "That as it is common with Geometricians to "demonſtrate the ſame Truth, as occaſion requires, "by Lines of different Dimenſions, the ſame Pro"portions being kept, ſo it came into his Mind to "deſcribe more largely and with greater Freedom, "what before he had related in a more compact "and cloſer Stile; yet not with any Intention of "repeating what had been before ſaid, but of ſet"ting the Argument in a fuller Point of Light, with "the Addition of certain Circumſtances therein "omitted." It is plain from hence, that whoever wrote the Supplement, wrote the Life; but it is very probable that both were taken out of a larger and much fuller Life written by Mr. *Aubrey*; nor is it at all improbable that this was written by the Conſent, and with the Aſſiſtance of Mr. *Hobbes* himſelf, which in ſome Meaſure accounts for all this Perplexity and Confuſion. There is alſo a large Article of Mr. *Hobbes* in the *Hiſtoria et Antiquitates Univerſitatis Oxonienſis*, of which mention will be made in the Text; and another ſtill larger in the ſecond Volume of the *Athenæ Oxonienſis*, both written by *Anthony a Wood*. There are alſo ſeveral Particulars relating to his Life, mentioned in the Writings of the Earl of *Clarendon*, Dr. *Wallis*, the Reverend Mr. *Howell*, and others of his Opponents; not to mention what is ſaid of him in modern Collections of Lives, in which all that deſerves Credit is taken from theſe original Authors, whom we have therefore carefully conſulted, and cautiouſly compared, in order to prevent impoſing upon ourſelves or upon our Readers, by liſtening to the extravagant Commendations given him by ſome, and the malicious Cenſures paſſed upon him by other of theſe Writers.

Return with the Lord *Cavendiſh*, finding that his Stock of academical Learning was ſomewhat decayed, he applied himſelf with great Diligence to the Study of the beſt Authors of Antiquity, by which he arrived at a clear, ſtrong, and natural *Latin* Stile, and acquired a perfect and critical Knowledge of the *Greek* Tongue.

Theſe Qualifications, joined to a good Addreſs (for in this Part of his Life, Mr. *Hobbes* had nothing of that Sourneſs, or moroſe Diſpoſition, which afterwards created him ſo many Enemies) were the means by which he became known to, and was much careſſed by Perſons of high Rank, as well as Men eminently diſtinguiſhed for their Parts and Learning; ſuch as the Lord Chancellor *Bacon*, who admitted him to a great Degree of Familiarity, and, it is ſaid, made uſe of his Pen for tranſlating ſome of his excellent Works into *Latin*. He was likewiſe much in the Favour of that learned and accompliſhed Nobleman *Edward* Lord *Herbert* of *Cherbury*, who has rendered his own Name, as well as the Reign of *Henry* the Eighth, immortal, by his admirable Hiſtory. Another of his intimate Friends was Sir *Robert Ayton*, a Native of *Scotland*, and Secretary to Queen *Anne*, Conſort of King *James* the Firſt; one who had raiſed himſelf a high Reputation, by the Elegancy with which he wrote *Latin* Verſe. The celebrated *Benjamin Johnſon* was likewiſe of his Acquaintance, and had ſo great an Eſteem for him, that he reviſed the firſt of his Works that our Author made publick, which was an *Engliſh* Tranſlation of the Hiſtory of *Thucydides*; which he undertook from an honeſt and laudable Deſire of preventing thoſe Diſturbances, in which he was apprehenſive his Country would be involved, by ſhewing the fatal Conſequences of inteſtine Troubles. But while he meditated this Deſign, his noble Patron *William* Earl of *Devonſhire* departed this Life in 1626, and in 1628, the very ſame Year that Work was publiſhed, his Son and Succeſſor died likewiſe; in whoſe Service our Author had then ſpent, with great Satisfaction to himſelf, and with the intire Approbation of that Nobleman, twenty Years; firſt in quality of his Tutor, and afterwards in that of his Secretary.

This Loſs affected Mr *Hobbes* to ſuch a Degree, that he very willingly accepted an Offer made him of going abroad a ſecond Time, with the Son of Sir *Gervaſe Clifton*; whom he accordingly accompanied into *France*, and ſtayed there ſome Time. As he was now in the fortieth Year of his Age, and had never been any great Admirer of the Logicks, Phyſicks, and Metaphyſicks of the Schools, he thought his Time might be better employed in the Purſuit of the Mathematicks; he began therefore with the Works of *Euclid*, which he read with great Application, and in which he took extraordinary Pleaſure, not ſo much on account of the Subject, (for he thought the Properties and Relations of Lines and Angles, ſpeculatively conſidered, was of very little Conſequence to the Buſineſs of human Life, tho' of very great Uſe when reduced to Practice) but his Sagacity taught him to admire in the Writings of that Philoſopher, the Clearneſs of his Reaſoning, the Connection of his Arguments, and the wonderful Perſpicuity of his Method, from whence Truth appeared inconteſtibly plain, and Falſhoods being rendered manifeſt, were rejected. While his leiſure Hours were thus employed, and the reſt of his Time in giving the neceſſary Inſtructions to his Pupil, he found himſelf ſollicited to return for *England*, and reſume his Concern for the Hopes of that Family, to which he had ſo early attached himſelf, and to which he owed ſo many and ſo great Obligations.

It was in 1631, when the Counteſs Dowager of *Devonſhire*, a Lady more diſtinguiſhed by her Virtues than her Quality, tho' ſhe had ſome Royal Blood in her Veins, deſired to put the young Earl of *Devonſhire* under his Care, who was then about the Age of thirteen. This was very ſuitable to Mr. *Hobbes*'s Inclinations, who diſcharged that Truſt repoſed in him with great Diligence and Fidelity. He took Occaſion from this Employment to republiſh his Tranſlation of *Thucydides*, to which he prefixed a Dedication addreſſed to that worthy young Nobleman, in which he gives a large and juſt Character of his Father, and repreſents in the ſtrongeſt Terms the Favours he had received from, and the Gratitude he owed to that illuſtrious Family [b]. The ſame Year he accompanied his noble Pupil to *Paris*, where he applied his vacant Hours to the Study of Natural Philoſophy, and more eſpecially to the perfect Underſtanding of Mechaniſm, and the Cauſes of animal Motion. He had frequent Converſations upon theſe Subjects with Father *Marin Merſenne*, a Man of extenſive Learning, and of unblemiſhed Probity, whoſe Writings have rendered him deſervedly famous, and who entertained a literary Correſpondence with almoſt all who were celebrated for Knowledge in *Europe*. From *Paris* Mr. *Hobbes* attended his Pupil into *Italy*, where at *Piſa* he became known to that great Aſtronomer *Galileo Galilei*, who communicated to him his Notions very freely; and after having ſeen all that was remarkable in that Country, he in 1637 returned with the Earl of *Devonſhire* into *England*.

His Attachment to that noble Perſon retained him ſtill in the Family, where he had already ſpent ſo great a Part of his Life; and his Reſidence in the noble Palace at *Chatſworth*, afforded him an Opportunity of exerciſing his Inclination to *Latin* Poetry, in celebrating the Wonders of the *Peak*; which Poem of his, tho' written ſome Years before, was not made public till about this Time [c]. The Troubles in *Scotland* now grew high, and as popular Diſcontent is always contagious, began to ſpread ſouthward, and to threaten the intire Subverſion of the Peace of the whole Iſland. As few foreſaw this earlier, and hardly any apprehended it more than Mr. *Hobbes*, he thought it might contribute to the public Tranquility if he bent his Thoughts to Politicks, and compoſed ſomething which might ſerve as an Antidote againſt thoſe peſtilential Opinions which began generally to prevail. It was this that engaged him to commit to Paper certain Principles, Obſervations, and Remarks, out of which he firſt compoſed his Book *De Cive*, and which grew up afterwards into that Syſtem he ſtiled his *Leviathan*. The true Scope of his Diſcourſe was no more than this, That Security can be only enjoyed where there is Peace; that Peace cannot be maintained without Dominion; that Dominion cannot be ſupported without Arms; that Arms will prove but a weak Defence if not put into one Hand; and even then that they will ſcarce reſtrain ſuch as ſhall be prompted to Diſcord by the fear of an Evil greater than Death itſelf, which is the Caſe in religious Diſputes.

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[b] We find it expreſly ſaid in the *Latin* Proſe Life, which has been attributed to Mr. *Hobbes* himſelf, that he publiſhed his *Engliſh* Tranſlation of *Thucydides* in 1628. He muſt therefore have republiſhed it in 1634, as appears from the Date of the Dedication, as well as that prefixed to ſuch of the firſt Edition as are commonly met with; for the ſame Book being again printed in 1676, with the Title only of the *Second* Edition, is a very plain Proof that the Fact really ſtood as we have ſtated it. This has been always eſteemed one of the beſt Tranſlations that we have of any *Greek* Author, and the Author himſelf took care of the Maps and Indexes. As to the Motives which led him to ſpend his Time in rendering this, rather than any other of the celebrated Hiſtories that have come down to us from Antiquity, it is needleſs for us to inſiſt upon them here, becauſe the Reader has the Prefatory Pieces, in which our Author himſelf explains theſe Matters, in the following Collection of his Works. But there is one Thing which muſt not be paſſed by; the learned Dr. *Tenniſon*, afterwards Archbiſhop of *Canterbury*, one of the ableſt, as well as one of the faireſt Antagoniſts Mr. *Hobbes* ever met with, is clearly of Opinion, that he borrowed the fundamental Maxims of his Politicks from the *Oration* of *Euphemus* the *Athenian* Ambaſſador, which is printed in the ſixth Book of that Hiſtory. At the Time it was publiſhed, Mr. *Hobbes* was eſteemed a very generous and publick-ſpirited Man; one who had nothing ſo much at Heart as promoting the Peace and Proſperity of his Country, by expoſing the bad Deſigns of thoſe, who under the ſpecious Pretence of Zeal for Religion, and a Patriot Concern for Liberty, meant to overturn the Conſtitution, and to erect each the Edifice of his private Fortune out of, as well as upon the publick Ruins.

[c] In this Poem, which is inſcribed to the Right Honourable *William* Earl of *Devonſhire*, the Author in heroick Verſe celebrates the nine Wonders of the *Peak* in *Derbyſhire*; and as the firſt of theſe is the Palace of *Chatſworth*, he takes Occaſion from thence to celebrate the *Cavendiſh* Family, and that famous Counteſs of *Shrewſbury*, to whoſe Prudence and Oeconomy ſo many noble Families ſtood ſo much obliged, and from whom the three Earls of *Devonſhire*, *Newcaſtle*, and *Kingſton*, were deſcended. Theſe, of all Mr. *Hobbes*'s poetical Performances, have been eſteemed the beſt Verſes, which notwithſtanding do not deſerve any extraordinary Commendation. We are ſomewhat at a loſs for a Reaſon; but the Fact is very certain, that their Author himſelf undervalued them much in the latter Part of his Life, which was ſomewhat contrary to his Character, as he manifeſted upon every other Occaſion, a ſufficient Eſteem for his own Writings. It is not however altogether improbable, that having delivered ſome Things in them as a Poet, which did not perfectly agree with the Sentiments he afterwards maintained, as a Philoſopher, he had a mind to let the World ſee that he was capable of contemning even his own Writings, when he was convinced there was any thing in them erroneous; which was notwithſtanding an unneceſſary Nicety, ſince no candid Critick would object Matters thus delivered, againſt the Notions laid down by the Author in another Character; where, from the nature of his Subject, he muſt be ſuppoſed to have a ſtrict Regard to Truth, whereas Fiction is allowed to be not only requiſite, but eſſential to Poetry. If therefore no other Contradictions are to be found but theſe in the Works of Mr. *Hobbes*, they are not only excuſable, but juſtifiable.

Not long after the meeting of the long Parliament *November* the 3d, 1640, when all things fell into Confuſion here, he withdrew for the ſake of living in Quiet to *Paris*, where he aſſociated himſelf with thoſe learned Men, who, under the Protection of the famous Cardinal *de Richlieu*, ſought by conferring their Notions together, to promote every kind of uſeful Knowledge. He had not been long there, when by the good Offices of his Friend, Father *Merſenne*, he became known to, and held a Correſpondence with the celebrated *Renatus Des Cartes* upon ſeveral mathematical Subjects, as appears from the Letters of Mr. *Hobbes*, which are publiſhed in the third Volume of that Author's Works. But when this great Man printed afterwards his Meditations, wherein he attempted to eſtabliſh Points of the higheſt Conſequence from innate Ideas, Mr. *Hobbes*, as well as ſome other judicious Men, took the Liberty of diſſenting from his Opinion. Amongſt theſe was the *French* King's Mathematical Profeſſor, *Peter Gaſſendi*, a Man juſtly eſteemed for his extenſive Knowledge, and for his communicative Diſpoſition, as well as for his reviving the Philoſophy of *Epicurus*, with whom Mr. *Hobbes* entered into a cloſe Friendſhip, which ſuffered no Interruption 'till the Death of the former.

In 1642, our Author printed a few Copies of his famous Book *De Cive*, which in Proportion as it became known, raiſed him many Opponents, who charged him with inſtilling Principles that had a very dangerous Tendency [d]. In 1645, he embarked in a mathematical Controverſy, about the Quadrature of

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[d] As the Author's moſt finiſhed and correct Edition of this Work, is to be found in the elegant Collection of his *Latin* Pieces, it was not held neceſſary to give Place to the *Engliſh* Tranſlation, in this Volume; but in order to render what we have to ſay upon this Subject perſpicuous, we ſhall begin with giving the Title of the Book at large, which runs thus; *Philoſophical Rudiments concerning Government and Society*; *or, a Diſſertatiom concerning Man, in his ſeveral Habitudes and Reſpects, as the Member of a Society, firſt Secular, and then Sacred: Containing the Elements of Civil Polity, in the Agreement which it hath both with natural and divine Laws*; *in which is demonſtrated both what the Origin of Juſtice is, and wherein the Eſſence of* Chriſtian Religion *doth conſiſt*; *together with the natural Limits and Qualifications both of Regimen and Subjection.* This Work is alſo dedicated to *William* Earl of *Devonſhire*; and in the Dedication he apologizes both for the Method and the Deſign of his Treatiſe; opening thereby a true and fair Account of the Manner in which he was led to theſe Inquiries; which as it will afford the Reader an Opportunity of entering into the Character of the Man, we will exhibit to his View. After ſhewing what vaſt Advantages have been derived to the World from that Skill and Certainty, with which the Mathematicians have handled their Science, and how much greater Benefits might have reſulted from Morality, if it had been as judiciouſly handled; he affirms, that the want of this ariſes from the Writers on that Subject taking various and improper Methods; "For, ſays he, we may not as in a " Circle begin the handling of a Science, from what " Point we pleaſe. There is a certain Clue of Rea- " ſon, whoſe beginning is in the Dark, but by the " benefit of whoſe Conduct we are led as it were " by the Hand into the cleareſt Light, ſo that the " Principle of Tractation is to be taken from that " Darkneſs, and then the Light to be carried thi- " ther, for the irradiating its Doubts. As often " therefore as any Writer doth either weakly for- " ſake that Clue, or wilfully cut it aſunder, he de- " ſcribes the Footſteps not of his Progreſs in Science, " but of his Wanderings from it. And upon this it " was, that when I applied my Thoughts to the In- " veſtigation of natural Juſtice, I was preſently ad- " vertiſed from the very Word Juſtice, which ſig- " nifies a ſteady Will of giving every one his own, " that my firſt Enquiry was to be, from whence it " proceeded that any Man ſhould call any thing " rather his own, than another Man's. And when " I found that this proceeded not from Nature but " Conſent, for what Nature at firſt laid forth in " common, Men did afterwards diſtribute into ſe- " veral Impropriations; I was conducted from thence " to another Enquiry, namely, to what End, and up- " on what Impulſives, when all was equally every " Man's in common, Men did rather think it fitting " that every Man ſhould have his Incloſure: And " I found the Reaſon was, that from a Community " of Goods there muſt needs ariſe Contention, " whoſe Enjoyment ſhould be greater; and from " that Contention all kind of Calamities muſt un- " avoidably enſue, which by the Inſtinct of Nature " every Man is taught to ſhun. Having therefore " thus arrived at two Maxims of human Na- " ture, the one ariſing from the concupiſcible " Part, which deſires to appropriate to itſelf the Uſe " of thoſe Things, in which all others have a joint " Intereſt, the other proceeding from the rational, " which teaches every Man to fly a contra-natural " Diſſolution, as the greateſt Miſchief that can " arrive to Nature; which Principles being laid " down, I ſeem from them to have demonſtrated " by a moſt evident Connection in this little Work " of mine, firſt the abſolute neceſſity of Leagues and

the Circle; in which, though many of the greateſt Men in *Europe* were likewiſe engaged, yet none of them gained a higher Degree of Reputation by their Writings than our Author. Amongſt other great and worthy Perſons, who upon the total Shipwreck of the royal Cauſe retir'd for Safety into *France*, was Sir *Charles Cavendiſh*, Brother to the loyal Duke of *Newcaſtle*; and this Gentleman, who was diſtinguiſhed by his perfect Acquaintance, as well in Practice as in Theory, with every Branch of mathematical Science, proved a conſtant Friend, and, to the utmoſt of his Power, a kind Patron to our Author; whoſe Fame for that kind of Learning was now ſo well eſtabliſhed, that in 1647 he was recommended to inſtruct *Charles* Prince of *Wales*, afterwards King *Charles* the Second, which he did with great Diligence and Succeſs.

His Care in the Diſcharge of this Office gained him the Eſteem of that Prince in a very great Degree, though he afterwards withdrew, in ſome Meaſure, his public Favour towards Mr. *Hobbes*, on account of thoſe Writings which will be hereafter mentioned; yet he always retained a Senſe of the Services he had rendered him, and of which he afforded him various Marks after he was reſtored to his Dominions; and it is reported, had his Picture always hanging in his Cloſet. This Year alſo came out a ſecond and more complete Edition of his Book *De Cive*, which was neatly printed in *Holland* by the Care of Dr. *Sorbiere*, who alſo made a Tranſlation

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“Contracts, and thence the Rudiments both of moral and of civil Prudence. That Appendage which is added concerning the Regimen of God, hath been done with this intent, that the Dictates of God Almighty in the Law of Nature, might not ſeem repugnant to the written Law revealed to us in his Word. I have alſo been very wary in the whole tenor of my Diſcourſe, not to meddle with the civil Laws of any particular Nation whatſoever; that is to ſay, I have avoided coming on a Shore which the Times have ſo infeſted both with Shelves and Tempeſts. At what expence of Time and Induſtry I have been in this Scrutiny after Truth I am not ignorant, but to what Purpoſe I know not. For being partial Judges of ourſelves, we lay a partial Eſtimate upon our own Productions. I therefore offer up this Book to your Lordſhip's, not Favour but, Cenſure firſt, as having found by many Experiments, that it is not the Credit of the Author, nor the Newneſs of the Work, nor yet the Ornament of the Stile, but only the Weight of Reaſon which recommends any Opinion to your Lordſhip's Favour and Approbation. If it fortune to pleaſe, that is to ſay, if it be ſound, if it be uſeful, if it be not vulgar, I humbly offer it to your Lordſhip, as both my Glory and my Protection. But if in any Thing I have erred, your Lordſhip will yet accept it as a Teſtimony of my Gratitude, for that the Means of Study which I enjoyed by your Lordſhip's Goodneſs, I have employed to the Procurement of your Lordſhip's Favour. The God of Heaven crown your Lordſhip with length of Days in this earthly Station, and in the heavenly Jeruſalem with a Crown of Glory.” Immediately after the appearance of this Book, the famous Mr. *des Cartes* gave this Judgment upon it, in one of his Letters; “I am of Opinion, ſays he, that the Author of the Book *de Cive*, is the ſame who wrote the third Objections againſt my Meditations. I think him a much greater Maſter of Morality than of Metaphyſicks, or natural Philoſophy, tho' I can by no means approve of his Principles or Maxims, which are very bad and very dangerous, becauſe they ſuppoſe all Men to be wicked, or give them occaſion to be ſo. His whole Deſign is to write in favour of Monarchy, which might be done to more Advantage than he has done, upon Maxims more virtuous and ſolid. He has wrote likewiſe greatly to the diſadvantage of the Church and *Roman* Catholic Religion, ſo that if he is not particularly ſupported by ſome powerful Intereſt, I do not ſee how he can eſcape having his Book cenſured.” Our Author *Hobbes* foreſaw, and obviated his firſt Objection in his *Preface*, in which he ſays, “that to ſuppoſe all Mankind wicked, is a falſe Deduction from his Principles, which only incline us to act towards Mankind as if we ſuppoſed them wicked, becauſe it is impoſſible to diſtinguiſh who are, and who are not ſo.” Whence he infers that his Caution is well founded, and yet his Premiſſes do not afford room for any ſuch Concluſion. The learned *Herman Conringius*, in the fourteenth Chapter of his Treatiſe upon *Civil Prudence*, cenſures our Author in pretty rough Terms, for boaſting, that tho' Phyſicks were a new Science, yet Civil Philoſophy was ſtill newer, ſince it could not be ſtiled older than his own Book *de Cive*: “Whereas, ſays that great Man, there is nothing good in that Work of his which was not always known.” But the celebrated *Samuel Puffendorff* in his *Preface* to the Reader, before his admirable Book of *The Law of Nature and Nations*, ſpeaks another Language; “*Thomas Hobbes*, ſays he, in thoſe Parts of his Works which regard civil Science, has many excellent Things, and nobody who is well verſed in Studies of this Nature, can deny that he has looked ſo cloſely into the Principles of human and civil Society, that there are very few who wrote before him upon theſe Subjects, to whom he does not deſerve to be preferred. Nay even where he has gone out of the way, he ſuggeſts nevertheleſs Things to our Conſideration, which otherwiſe would very probably never have entered into any Man's head.” The ſame worthy and judicious Perſon, in his *Preface* to his *Elements of Univerſal Law*, has theſe Words; “Neither are we a little indebted to *Thomas Hobbes*, whoſe Hypotheſis in his Book *de Cive*, tho' it ſavours ſomewhat of Profaneneſs, yet in other Reſpects is ſenſible and ſound.

Tranſlation of it into *French*. To his Edition of the Original there are prefix'd two *Latin* Letters to the Editor in commendation of the Book; one written by Mr. *Gaſſendi*, and the other by Father *Merſenne*, which however could not reconcile all the World to the Notions therein contained.

While his Time was thus employed at *Paris*, Mr. *Hobbes* was attacked by a violent Fit of Sickneſs, which brought him very low, inſomuch that many of his Friends began to deſpair of his Recovery. Amongſt thoſe who viſited him when he was in ſo weak a Condition, was his old Acquaintance Father *Merſenne* before mentioned, who taking this for a favourable Opportunity, began, after a few general Compliments of Condolence, to mention the Power of the *Roman* Church to forgive Sins; but Mr. *Hobbes* immediately replied, *Father, all theſe Matters I have debated with myſelf long ago. Such kind of Diſputes would be troubleſome to me now, you can entertain me on Subjects more agreeable; when did you ſee Mr.* Gaſſendi? His reverend Viſitant eaſily underſtanding his Meaning, troubled him no farther, but ſuffered the Converſation to turn, as Mr. *Hobbes* deſired, upon general Topicks. Yet ſome Days afterwards, when Dr. *John Coſins*, afterwards Biſhop of *Durham*, came to pray with him, he very readily accepted the Propoſal, provided he uſed the Offices appointed by the Church of *England*, and received the Sacrament from his Hands. By Degrees however he recovered his Health, and his former robuſt Conſtitution.

In 1650, he wrote an Anſwer to a long Letter written to him by Sir *William D'Avenant*, who had ſubmitted his Poem called *Gondibert* to his Peruſal, which Anſwer of his, together with Sir *William*'s Letter, was prefixed to that Poem when it was publiſhed, but did not anſwer the Intention of defending that Performance from the Fury of the Criticks, who notwithſtanding Mr. *Hobbes*'s Approbation, cenſured it very ſeverely. The ſame Year was publiſhed at *London* a ſmall Treatiſe of our Author's, entituled *Human Nature*, which was much eſteemed by ſome, who expreſſed afterwards a bad Opinion of Mr. *Hobbes*[*]. Another little Treatiſe of his, entituled *De corpore politico, or of the Elements of the Law*, made likewiſe its Appearance the ſame Year. All this Time he had been digeſting with great Care and Pains, his Religious, Political, and Moral Principles, into a compleat Syſtem, which he intituled *Leviathan*, and which was printed in *Engliſh* at *London* in that, and the Year following.

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[*] Before the firſt Edition of this ſmall Treatiſe, there ſtands the following Advertiſement, which is worthy of being well conſidered. "Reader, it was thought good to let you know, that Mr. *Hobbes* hath written a Body of Philoſophy upon ſuch Principles, and in ſuch Order, as are uſed by Men converſant in Demonſtration; this he hath diſtinguiſhed into three Parts, *De Corpore*, *De Homine*, *De Cive*, each of the Conſequents beginning at the End of the Antecedent, and inſiſting thereupon as the latter Books of *Euclid* upon the former. The laſt of theſe he hath already publiſhed in *Latin* beyond the Seas, the ſecond is this now preſented: And if theſe two receive Juſtice in the World, there is Hopes we may obtain the firſt. He whoſe Care it is and Labour to ſatisfy the Judgment and Reaſon of Mankind, will condeſcend ſo far, we hope, to ſatisfy the Deſire of thoſe learned Men, whom theſe ſhall either have found or made, which cannot be until they ſhall analytically have followed the grand Phœnomena of States and Kingdoms, thorough the Paſſions of particular Men, into the Elemental Principles of natural and corporeal Motions. The former Work was publiſhed by the Author, and ſo is out of Danger; this by a Friend with Leave from him; and to ſecure this, you are intreated to conſider the Relation wherein it ſtands, eſpecially to the Book *De Cive*. It was thought a Part of Religion not to make any Change without the Author's Advice, which could not ſuddenly be obtained, and ſo it comes forth innocently, ſuppoſing nothing to have happened ſince the Dedication of it, which if it ſeem a Soleciſm to ſome, it may to others give a Satisfaction, in calling to Mind thoſe Times and Opportunities to which we are indebted for thoſe admirable Compoſitions. *F. B.*" Theſe initial Letters were intended to ſtand for *Francis Bowman* the Bookſeller at *Oxford*, for whom this Treatiſe was printed; but it may be preſumed that few Readers believed it was of his writing. *Anthony Wood* tells us plainly, that it was written for him by Dr. *Seth Ward*, afterwards Biſhop of *Wincheſter*, who became within the Space of a few Years one of our Author's bittereſt Enemies; tho' it plainly appears from the foregoing Advertiſement, that he had read and conſidered the whole Scope of his Philoſophy before that Difference began. We will take the Liberty of adding here, to avoid multiplying Notes, that when our Author's Treatiſe *De Corpore Politico* had been preſented to, and read by the very learned *Peter Gaſſendi*, a very few Months before his Death, he firſt kiſſed it, and then delivered his Opinion of it in theſe Words, "This Treatiſe is "indeed ſmall in Bulk, but in my Judgment it is "the very Marrow of Science."

He cauſed a Copy of the *Leviathan*, very fairly wrote on Vellum, to be preſented to King *Charles* II. But after that Monarch was informed of the bad Opinion entertained of this Book by the *Engliſh* Divines, who conſidered it in a very diſadvantageous Light, and as abounding with Doctrines equally irreconcileable to true Religion, and the Principles of civil Government, he is ſaid to have withdrawn his Countenance from the Author, and to have reſtrained him, by a Meſſage delivered by the Marquis of *Ormond*, from coming into his Preſence.

Some have very confidently ſuggeſted, that his principal View in compoſing this Work, was to open a Paſſage for his ſafe Return into *England*, by exhibiting the only Syſtem of Policy that either could juſtify or ſupport the Government of *Oliver Cromwell*, and in this he is ſaid ſo far to have ſucceeded, as to have had ſome Overtures made him to enter into the Service of the Protector in Quality of his Secretary. The great Earl of *Clarendon*, once his very particular Friend, and never a perſonal Enemy to Mr. *Hobbes*, has given the World an Account of ſome Circumſtances which attended the Writing and Publication of this Book from his own Knowledge [f]. Whatever his Motives might be to the writing his *Leviathan*, certain it is, that not long after its Publication he returned to *England*, partly as he himſelf affirmed, and not without Foundation, from his juſt Apprehenſions of the Conſequences that might follow from the Offence taken againſt him by the *Popiſh* Clergy, and partly on Account of an Indiſpoſition in his Stomach, from which by the Uſe of proper Medicines he perfectly recovered.

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[f] The noble Perſon mentioned in the Text wrote, during his Baniſhment in 1670, a Book againſt Mr. *Hobbes*, which was printed Six Years afterwards at *Oxford*, with this Title, *A brief View of the dangerous and pernicious Errors to Church and State, in Mr.* Hobbes's *Book entituled* Leviathan. In the Introduction the Earl obſerves, that Mr. *Hobbes*'s *Leviathan* "contains in it good Learning of all "Kinds, politely extracted, and very wittily and "cunningly digeſted in a very commendable, and "in a vigorous and pleaſant Stile;" and that Mr. *Hobbes* was "a Man of excellent Parts, of great "Wit, ſome Reading, and ſomewhat more Thinking; one who has ſpent many Years in foreign "Parts and Obſervations, underſtands the learned, "as well as modern Languages, hath long had the "Reputation of a great Philoſopher and Mathematician, and in his Age hath had Converſation "with very many worthy and extraordinary Men, "to which it may be, if he had been more indulgent in the more vigorous Part of his Life, it "might have had greater Influence upon the Temper of his Mind; whereas Age ſeldom ſubmits to "thoſe Queſtions, Enquiries, and Contradictions, "which the Laws and Liberty of Converſation require. And it hath been always a Lamentation "among Mr. *Hobbes*'s Friends, that he ſpent too "much Time in thinking, and too little in exerciſing thoſe Thoughts in the Company of other "Men of the ſame, or of as good Faculties; for "want whereof his natural Conſtitution, with Age, "contracted ſuch a Moroſity, that doubting and "contradicting Men were never grateful to him. "In a Word, Mr. *Hobbes* is one of the moſt ancient Acquaintance I have in the World, and of "whom I have always had a great Eſteem, as a "Man, who beſides his eminent Parts of Learning "and Knowledge, hath been always looked upon "as a Man of Probity, and a Life free from Scandal." The Earl informs us, that when Prince *Charles*, afterwards King *Charles* II. went firſt to *Paris* from the Iſle of *Jerſey*, and the Lords *Capel* and *Hopton* continued with him at *Jerſey*, he heard ſhortly after that, Mr. *Hobbes*, who was then at *Paris*, had printed his Book *De Cive* there. The Earl wrote to Dr. *Earle*, who was then the Prince's Chaplain and Tutor, to remember him kindly to Mr. *Hobbes*, with whom the Earl was well acquainted, and to deſire him to ſend him that Book, by the ſame Token that Mr. *Sidney Godolphin*, who had been killed in the Civil Wars, had left to Mr. *Hobbes* a Legacy of two hundred Pounds. The Book was immediately ſent to the Earl by Mr. *Hobbes*, with a Deſire that he would tell him whether he was ſure that there was ſuch a Legacy, or how he might take Notice of it to receive it. The Earl ſent Mr. *Hobbes* Word that he might depend upon it for a Truth, and that he believed, that if he found ſome Way ſecretly (to the End there might be no publick Notice of it in regard of the Parliament) to demand it of Mr. *Francis Godolphin*, Brother of Mr. *Sidney Godolphin* (the former of whom had told the Earl of it) he would pay it. This Information was the Ground of the Dedication of the *Leviathan* to Mr. *Francis Godolphin*, whom Mr. *Hobbes* had never ſeen. When the Earl went ſome few Years after from *Holland* with King *Charles* II. (after the Murder of *Charles* I.) to *Paris*, from whence he went ſhortly his Majeſty's Ambaſſador for *Spain*, Mr. *Hobbes* viſited him, and told him that Mr *Godolphin* had confeſſed the Legacy, and had paid one hundred Pounds, and promiſed to pay the other in a ſhort Time; for all which he thanked the Earl, and ſaid he owed it to him, for he had never otherwiſe known of it. When the Earl returned from *Spain* by *Paris*, Mr. *Hobbes* frequently came to him, and told him, that his Book which he would call *Leviathan*, was then printing in *England*, and that he received every Week a Sheet to correct, of which he ſhewed the Earl one or two Sheets, and thought it would be finiſhed in little more than a Month, and ſhewed him the Epiſtle to Mr. *Godolphin*, which he intended to ſet before it, and read it to him, and concluded, that he knew when the Earl read his Book, he would not like it, and thereupon mentioned ſome Concluſions, upon which the Earl asked him, why he would publiſh ſuch Doctrine; to which after a Diſcourſe between Jeſt and Earneſt upon the Subject, he ſaid, *The Truth is I have a Mind to go home.* "Within a ſhort Time after I came, ſays the "Earl, into *Flanders*, which was not much more "than a Month from the Time that Mr. *Hobbes* had "conferred with me, *Leviathan* was ſent to me from "*London*, which I read with much Appetite and "Impatience. Yet I had ſcarce finiſhed it, when "Sir *Charles Cavendiſh* (the noble Brother of the "Duke of *Newcaſtle*, who was then at *Antwerp*, a "Gentleman of all the Accompliſhments of Mind "that he wanted of Body, being in all other Reſpects a wonderful Perſon) ſhewed me a Letter he "had

But it does by no Means appear that he ſought for any Favour from the Hands of thoſe then in Power, beyond that of living in Quiet. And finding the Church of *England* ſubverted, and the Churches filled with thoſe who made no uſe of any Liturgy, and whoſe Sermons in his Opinion were often blaſphemous, he omitted for three Months communicating with any Body of Chriſtians; but being afterwards carried to a Congregation where the Service of the Church of *England* was with great Privacy uſed, he joined in Communion with them, and continued to reſort thither. This, and his Conduct in his Sickneſs, he afterwards urged as a Proof that he was no Atheiſt, but on the contrary a Chriſtian, and ſincerely attached to that Church in which he was educated.

After his coming back to his own Country, he paſſed the Summer commonly at his Patron the Earl of *Devonſhire*'s Seat in *Derbyſhire*, and ſome of his Winters in Town, where he had for his intimate Friends ſeveral of the greateſt Men of that, ſhall I ſay, or of any Age, ſuch as Dr. *William Hervey*, the great Light and Reſtorer of Phyſick, and whoſe Name is ſo juſtly famous for his diſcovering, explaining, and eſtabliſhing the Circulation of the Blood; *John Selden*, Eſq; that Pro-

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“ had then received from Mr. *Hobbes*, in which he deſired he would let him know freely what my Opinion was of his Book; upon which I wiſhed he would tell him, that I could not enough wonder that a Man who had ſo great a Reverence for civil Government, that he reſolved all Wiſdom, and Religion itſelf, into a ſimple Obedience and Submiſſion to it, ſhould publiſh a Book, for which by the Conſtitution of any Government now eſtabliſhed in *Europe*, whether Monarchical or Democratical, the Author muſt be puniſhed in the higheſt Degree, and with the moſt ſevere Penalties. With which Anſwer, which Sir *Charles* ſent to him, he was not pleaſed; and found afterwards when I returned to the King to *Paris*, that I very much cenſured his Book, which he had preſented, engroſſed in Vellum in a marvellous fair Hand, to the King, and likewiſe found my Judgment ſo far confirmed, that a few Days before I came thither, he was compelled ſecretly to fly out of *Paris*, the Juſtice having endeavoured to apprehend him, and ſoon after eſcaped into *England*, where he never received any Diſturbance. After the King's Return he came frequently to the Court, where he had too many Diſciples, and once viſited me. I received him very kindly, and invited him to ſee me often; but he heard from ſo many Hands that I had no good Opinion of his Book, that he came to me only that one Time; and methinks I am in a degree indebted to him, to let him know ſome Reaſons why I look with ſo much Prejudice upon his Book, which hath gotten him ſo much Credit and Eſtimation with ſome other Men.” The Earl afterwards obſerves, “ that the Review and Concluſion of the *Leviathan* is only an Abridgment, and contracting the moſt contagious Poiſon that runs through the Book into a leſs Veſſel or Volume, leſt they who ſhould not take the Pains to read the Book, or reading it, may by Inadvertency and Inconſiſtency not be hurt enough by it, may here in leſs room, and more nakedly, ſwallow his choiceſt Doctrine at one Morſel, and is in Truth a ſly Addreſs to *Cromwell*, that being then out of the Kingdom, and ſo being neither conquered nor his Subject, he might by his Return ſubmit to his Government, and be bound to obey it: Which being uncompelled by any Neceſſity or Want, but having as much to ſuſtain him abroad as he had to live upon at home, could not but proceed from a ſincere Heart and uncorrupted. This Review and Concluſion he made ſhort enough to hope that *Cromwell* himſelf might read it, where he ſhould not only receive the Pawn of his new Subject's Allegiance, by declaring his own Obligations and Obedience, but by publiſhing ſuch Doctrine, as being diligently infuſed by ſuch a Maſter in the Myſtery of Government, might ſecure the People of the Kingdom (over whom he had no Right to command) to acquieſce and ſubmit to his brutal Power.” The latter Part of this Charge, tho' very poſitively aſſerted by many others as well as this noble Peer, cannot be eaſily made out, unleſs Mr. *Hobbes* was a Prophet as well as a Politician; for *Cromwell* was then only General of the Forces, and if there had been any evident Sign of his becoming Maſter of the Government, it is more than probable ſome of the ſharp-ſighted People of that Age, would have been aware of it as ſoon as Mr. *Hobbes*. But it is eaſy to find the Meaning of a Paſſage after Events have happened; yet at the Time the *Leviathan* was publiſhed, no Mortal could imagine that it was a Compliment to General *Cromwell*, tho' it is very poſſible that from the Doctrine contained in it, the Author, had he been ſo inclined, (which it does not appear he ever was) might have found his Account, in paying his Court to the Protector. But notwithſtanding, Things of this ſort were no doubt carried to the King's Ear, yet they did not make ſuch an Impreſſion upon him as upon his Miniſters, in complaiſance to whom tho' he forbid our Author his Preſence, yet he could not help declaring at the ſame Time, that he did not believe Mr. *Hobbes* intended him any hurt.

digy of Learning; Sir *John Vaughan*, afterwards Chief Juſtice of the Common Pleas, a Man excellently verſed in his Profeſſion, and of uncommon Parts and Knowledge; *Abraham Cowley*, no leſs diſtinguiſhed by the Innocency of his Life, than by the Energy and Elegance of his Writings; and not to mention more, Sir *Charles Scarburgh*, afterwards the King's Phyſician, a Man famous for his mathematical Learning, and his exquiſite Skill in Phyſick, and for his open, generous, and communicative Temper.

In 1654, Mr. *Hobbes* publiſhed his Letter upon Liberty and Neceſſity, which occaſioned a long Controverſy between him and Dr. *Bramhall* Biſhop of *Londonderry*, afterwards Lord Primate of *Ireland*. About this Time likewiſe, began the Controverſy with Dr. *Wallis*, that famous and excellent Mathematician of *Oxford*, which laſted as long as our Author lived, and in which he had the Misfortune to have all the Mathematicians againſt him. It is indeed ſaid, that our Author came too late to this kind of Study, for a Man who would excel in it; and that tho' for a Time he maintained his Credit, while he was content to proceed in the ſame Track with others, and to reaſon in the accuſtomed Manner from the eſtabliſhed Principles of the Science, yet when he began to digreſs into new Paths, and ſet up for a Reformer, Inventor, and Improver of Geometry, he loſt himſelf extremely.

But notwithſtanding theſe Debates took up much of his Time, yet he publiſhed ſeveral philoſophical Treatiſes in *Latin*, in Compliance with the Promiſes which he had formerly made, and in which he made it his Rule to be very punctual. Such were his Occupations till the Year 1660, when upon the King's Reſtoration he quitted the Country, and came up to *London*, where being at *Salisbury* Houſe with his Patron when the King paſſed by in his Coach, he accidentally ſaw him, and ſent for him, when he gave him his Hand to kiſs, and enquired kindly after his Health and Circumſtances. Some time after this his Majeſty directed that eminent Limner, Mr. *Samuel Cooper*, to go to him and draw his Picture. He likewiſe afforded our Author another private Audience, ſpoke to him very kindly, aſſured him of his Protection, and ſettled a Penſion upon him of one hundred Pounds a Year out of his Privy Purſe; which laſt Circumſtance is very particularly mentioned by himſelf, in his Account of his own Life in *Latin* Verſe.

Yet this did not render him entirely ſafe; for in 1666, his Book of the *Leviathan*, and his Treatiſe *De Cive*, were cenſured by Parliament, which alarmed him very much, as did alſo the bringing in of a Bill in the Houſe of Commons to puniſh Atheiſm and Profaneneſs. It is thought that upon this Occaſion he compoſed his *Hiſtorical Narration of Hereſy, and the Puniſhment thereof*, or rather detached it from his *Leviathan*, and added to it ſome freſh Remarks, with a View of demonſtrating that he could not be legally guilty of Hereſy in writing or publiſhing that Book, becauſe the High Commiſſion Court was the only Judicature in *England* that could declare what was Hereſy, and that Court being aboliſhed at the Beginning of the Troubles, and not reſtored afterwards, whatever was contained in his Book written in the interim, could never in a legal Senſe be adjudged Hereſy.

When this Storm was a little blown over, he began to think of procuring a beautiful Edition of ſuch of his Works, as were either written by himſelf, or tranſlated into the *Latin* Tongue, to be publiſhed in his Lifetime; and finding this to be a Thing impracticable in *England*, he cauſed it to be undertaken abroad, where they were made publick in Quarto in 1668, from the Preſs of *John Bleau*. In 1669, he was viſited by *Coſmo de Medicis*, then Prince, afterwards Duke of *Tuſcany*, who gave him ample Marks of his Eſteem and Reſpect; and having received his Picture, and a compleat Collection of his Writings, cauſed them to be repoſited, the former amongſt his Curioſities, the latter in his noble Library at *Florence*. The like Viſits he received from foreign Ambaſſadors, and other Strangers of Diſtinction, who were curious of ſeeing a Perſon, whoſe ſingular Opinions, and numerous Writings, had made ſo much Noiſe over all *Europe*; which not only gratified the old Man's Paſſion for Applauſe, which, to ſay the Truth, was his greateſt Foible, but really raiſed his Reputation very high at home, inſomuch that ſome young Men at the Univerſities began to ſtudy his Philoſophy with great Application, and embraced, with the Vehemence natural to that Seaſon of Life, all his Opinions.

Amongſt theſe there was one *Daniel Scargil*, Batchelor of Arts, and Fellow of *Corpus Chriſti* College in *Cambridge*, who undertook to defend ſome Poſitions extracted from the *Leviathan*, which drew upon him a very ſevere academical Proſecution, that ended in Impriſonment, depriving him of his Degree, removing him from his Fellowſhip, and expelling him the Univerſity. The Man himſelf afterwards publiſhed a very full Recantation, in which he acknowledged himſelf to have been drawn into the groſſeſt Errors and Impieties by the Study of our Author's Books. This induced Mr. *Hobbes* to write a Vindication of himſelf, in Reference to this Matter, as he had often done upon other Occaſions, which notwithſtanding was never publiſhed.

In 1670, there was committed to the Preſs in *Latin*, the Hiſtory and Antiquities of *Oxford*, by *Anthony a Wood*; which Book was written by the Author in *Engliſh*, but was tranſlated and publiſhed at the Expence of Dr. *Fell* Biſhop of *Oxford*, who cauſed ſome conſiderable Alterations to be made, as well as many Things to be left out in the Account given of Mr. *Hobbes* and his Writings. Upon this *Anthony a Wood*, in Juſtification of himſelf, acquainted Mr. *Hobbes* with the whole of that Tranſaction, pointing out the ſeveral Alterations and Omiſſions; and Mr. *Hobbes* in a *Latin* Letter dated *April* 20, 1674, addreſſed to the ſaid Mr. *Wood*, publiſhed all this to the World, with very warm and bitter Complaints againſt Dr. *John Fell*. To this that great Man vouchſafed to publiſh a Reply, in which he aſſerted, that the Article contained in Mr. *Wood*'s *Engliſh* Book, was not compoſed by himſelf, but was tranſmitted to him either by Mr. *Hobbes* himſelf, or by his great Friend and Diſciple *John Aubrey*, Eſq; juſtifying likewiſe his Corrections and Omiſſions, in as high and ſtrong Terms as thoſe which had been made uſe of by Mr. *Hobbes* in his Charge; and this Vindication of himſelf he cauſed to be annexed to the Hiſtory and Antiquities of *Oxford* [g]. In order to avoid Repetition and Prolixity, we have treated this Affair at once, tho' there were ſome Years Difference between the Commencement and End of this Diſpute, and therefore we muſt now return back a little, in order to conſider ſome other of his Performances.

In 1672, he wrote his Life in *Latin* Verſe, when, as he obſerves, he had compleated his eighty-fourth Year, in which, whatever may be thought of the Poetry, there is certainly a great deal of Spirit, and it may be a little Stroke of Vanity alſo. He mentions at the Cloſe of it, that when he retired to *France*, his whole Stock was five hundred Pounds, as alſo the Addition made to it by the Legacy of two hundred Pounds, from *Sidney Godolphin*, Eſq; a Man whom Virtue, Loyalty, and Learning, equally commended to the Reverence of Poſterity. He takes Notice likewiſe of an Annuity granted him of fourſcore Pounds a Year, by his Patron the Earl of *Devonſhire*, and the Penſion given him by the King of one hundred Pounds *per Annum*, which Proviſion he declares exceeded his Wants, and came up to the very Height of his Wiſhes; and adds very pleaſantly, that by computing his Effects in *French* Sols, or *Spaniſh* Marvedies, he could perſuade himſelf that neither *Crœſus* nor *Craſſus* were at all richer Men than he.

In 1674, he publiſhed in *Engliſh* Verſe four Books of *Homer*'s *Odyſſey*, which were very well received by the Publick, and this inſpired him with a Reſolution of tranſlating not only the *Odyſſey* entire, but the *Iliad*, tho' in ſo advanced an Age. The ſame

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[g] We have this Matter very fairly ſtated by Mr. *Anthony Wood* in his *Engliſh* Work, containing *The Hiſtory of the Oxford Writers*, where in the Catalogue he gives us of our Author's Treatiſes, he mentions this Letter to himſelf, and then adds: "It was written to Mr. *Wood*, upon his Complaint made to Mr. *Hobbes* of ſeveral Deletions and Additions made in, and to his Life and Character, which he had written of him in that Book, by the Publiſher (Dr. *John Fell*) of the ſaid Hiſtory and Antiquities, to the great Diſhonour and Diſparagement of the ſaid Mr. *Hobbes*. Whereupon when that Hiſtory was finiſhed, came out a ſcurrilous Anſwer to the ſaid Epiſtle, written by Dr. *Fell*, which is at the End of that Hiſtory." The Reader will obſerve, that in this Paſſage Mr. *Wood* contradicts what is alledged by Dr. *Fell*, that the Article of Mr. *Hobbes* was written by himſelf, or his Friend Mr. *Aubrey*, and ſent to Mr. *Wood*; whereas he who muſt know this beſt, affirms that it was of his own writing.

Year he took his Leave of *London*, and went to ſpend the Remainder of his Days in *Derbyſhire*, but without the leaſt Abatement of his natural Spirit and Vivacity, which together with his Parts, he preſerved till within a very few Days of his Death. In 1675, he ſent abroad his *Engliſh* Verſion of the *Iliad* and *Odyſſey*, together with a ſhort Diſcourſe prefixed to them, which were in thoſe Days generally liked, tho' they have been cenſured by a modern Poet, and an excellent Judge, as if they were as much below the Reputation of Mr. *Hobbes*, as of the *Grecian* Bard himſelf [h].

In 1676, he cauſed his Diſpute with Dr. *Benjamin Laney*, Biſhop of *Ely*, concerning *Liberty and Neceſſity* to be printed; for he loved not only to ſhew that he was living by the Exerciſe of his Pen, but alſo to make the World take Notice of it, by publiſhing annually one or other of his Writings. In 1678, appeared his *Decameron Phyſiologicum*, or *ten Dialogues of Natural Philoſophy*; to which he added a Book compoſed ſome Years before, at the Requeſt of a Perſon of great Diſtinction, entituled, *A Dialogue between a Philoſopher and a Student of the Common Law of England*, which is a very ſingular Performance, and very evidently proves, that if Mr. *Hobbes* had betaken himſelf early to that, or indeed any other learned Profeſſion, he could not have failed of making a great Figure therein, tho' for Want of that early Application, there is in it an Air of Poſitiveneſs, which does not by any Means do Honour to the Author's Abilities.

In the Month of *June* the ſame Year, he ſent another Book of his, entitled *Behemoth*, or *a Hiſtory of the Civil Wars from* 1640 to 1660, to an eminent Bookſeller, with a Letter ſhewing the Reaſons for his Communication, as well as for his Requeſt, that he would not publiſh it till a proper Occaſion offered. At that Time, when Things were freſh in Memory, (for notwithſtanding this Injunction, there were three Editions of the Book within the Space of two Years) it was much read and admired. Indeed the Author gives his Opinion very freely upon Abundance of delicate and important Subjects, and lays open very roundly the Faults of ſome great Bodies of Men, who in his Judgment made but an indifferent Uſe of that high and general Reſpect which the World paid them. This was in ſome Meaſure Mr. *Hobbes*'s Legacy to the Publick, ſince it was the laſt Piece of his that went to the Preſs during his Life [i].

About the middle of *October* he was afflicted with a Suppreſſion of Urine, for which he had the Aſſiſtance of one of the Faculty, who promiſed to do all that was in his Power to give him Eaſe, but told him plainly, that on account of his great Age he had little hopes of making a perfect Cure. On the 20th of *November*, his Patron the Earl of *Devonſhire* removing from *Chatſworth* to another Seat of his called *Hardwick*, Mr. *Hobbes* obſtinately perſiſted in deſiring that he might be carried too, tho' this could be no other way done, than as he lay upon a Feather Bed. He did not ſeem to be much diſcompoſed with this Journey, and yet within ſix or ſeven Days afterwards he loſt by a ſtroke of the Palſy the uſe of Speech, and of his right Side entirely; In this Condition he remained for ſome Days, taking little Nouriſhment and ſleeping much. He ſometimes endeavoured to ſpeak, but was not able. There did not appear in the courſe of his laſt Illneſs any Symptoms of a Fever, ſo that he ſeemed to be quite worn out; and Nature being no longer able to furniſh wherewith to feed the Flame of Life, he expired *December* 4th. 1679, in the Ninety-ſecond Year of his Age.

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[h] The modern Poet mentioned in the Text, is the celebrated Mr. *Pope*; who in the *Preface* to his own Tranſlation of *The Iliad of Homer*, has given us the following free and fair Character of our Author's Performance; “ Mr. *Hobbes* in his Verſion, ſays he, has given a correct Explanation of the Senſe in general, but for Particulars and Circumſtances lops them, and often omits the moſt beautiful. As for its being eſteemed a cloſe Tranſlation, I doubt not many have been led into that Error by the Shortneſs of it, which proceeds not from the following the Original Line by Line, but from the Contractions abovementioned. He ſometimes omits whole Similes and Sentences, and is now and then guilty of Miſtakes, into which no Writer of his Learning could have fallen, but through Careleſſneſs. His Poetry, as well as Ogilby's, is too mean for Criticiſm.

[i] When Mr. *Crooke* thought fit to print the genuine Edition of our Author's *Hiſtory of the Civil War*, he publiſhed the following Extract of Mr. *Hobbes*'s Letter to him, which is that mentioned in the Text. “ I would fain have publiſhed my Dialogue of *The Civil Wars of England* long ago, and to that end I preſented it to his Majeſty, and ſome Days after when I thought he had read it, I humbly beſought him to let me print it; but his Majeſty (though he heard me graciouſly, yet he) flatly refuſed to have it publiſhed. Therefore I brought away the Book, and gave you leave to take a Copy of it, which when you had done, I gave the Original to an honourable and learned Friend, who about a Year after died. The King knows better, and is more concerned in publiſhing of Books than I am: Therefore I dare not venture to appear in the Buſineſs, leſt it ſhould offend him. Therefore I pray you not to meddle in the Buſineſs. Rather than to be thought any way to further or countenance the printing, I would be content to loſe twenty times the Value of what you can expect to gain by it, *&c.*—— I pray do not take it ill, it may be, I may live to ſend you ſomewhat elſe as vendible as that, and without Offence.
“ I reſt “ Your very humble Servant,
Chatſworth,
June 19. 1679. “ *THOMAS HOBBES.*

Mr. *Wood* tells us, that after he received the Anſwer which has been before mentioned, from the Perſon who attended him, he made uſe of this Expreſſion, *Then I ſhall be glad to find a Hole to creep out of the World at.* The ſame Author obſerves, that his not deſiring the Company of a Miniſter, to receive the Sacrament before he died, ought in Charity to be imputed to his being ſo ſuddenly ſeized, and being afterwards deprived of his Senſes, the rather becauſe the Earl of *Devonſhire*'s Chaplain declared, that within the two laſt Years of his Life he had often received the Sacrament from his Hands with ſeeming Devotion. Two Days after his Deceaſe, his Corps was removed from the Houſe of his noble Patron, and decently attended to the Pariſh Church of *Hault Hucknall*, where in an Iſle he was interred, with the Service in the Common-Prayer Book, cloſe to the Rail of the Monument of the Grandmother of the then Earl of *Devonſhire*; and over his Grave a Black Marble Stone was laid with an Inſcription, mentioning the Place and Time of his Birth, and of his Deceaſe.

After this Detail of his Conduct and Writings, it may perhaps afford ſome Entertainment to the Reader, if we enter alſo a little into his private Life, and give ſome Account of his Perſon, Temper and Manners. In his Stature he was pretty tall, of a ſpare Habit of Body, his Skin remarkably tender, ſo that to defend himſelf from the Injuries of Cold, he went commonly in warm Cloaths. His Face was comely enough, his Brow large and open, but in the more advanced Part of his Life deeply wrinkled; his Eyes very quick and ſparkling; his Sight ſtrong, penetratting, and tolerably good even to the laſt; his Noſe ſomewhat long, with a lively Colour in his Cheeks; his Hair, before Age turn'd it grey, was of a bright Black; but his Beard of a yellowiſh Red, a little of which he preſerved on his Chin; but on his Lip he wore his Muſtachoes, thick and turning upwards. His Complexion was a ſanguine-melancholy as ſome ſtile it, that is, he was ſtrong and vigorous, but withal of a calm and grave Deportment.

In his Youth his Health was ſomewhat tender, and he was frequently threatened with the Jaundice; but by that Time he was forty, he came to have more ſettled Health; however he kept his Bed but rarely through his whole Life, and dealt ſtill moer ſparingly in Phyſick. When he was about threeſcore, his Hand ſhook pretty much, which was a forerunner of that Palſy with which he was taken towards his End. He was no way nice or particular in his Eating, on the contrary, there was hardly any kind of Food commonly eaten came amiſs to him. When he grew in Years, he dined at a certain Hour, ſmoak'd a little Tobacco, but generally ſpeaking eat no Suppers. In the Vigour of his Age, he was not exempt from Failings common to other Men, but perſiſted nevertheleſs in the Reſolution he had taken to continue a Batchelor for the ſake of his Studies. He uſed a great deal of Exerciſe, on the ſcore of his Health; he played often at Hand-ball, even after he was turned of ſeventy; when occaſion required ſomewhat ſtill more ſtirring, he would take long Walks, and at his Return cauſe his Limbs to be rubbed till he fell aſleep; when Age made Walking painful to him, he contented himſelf with having his Chamber artificially heated, and the Circulation promoted by the ſame kind of Frictions. The Chearfulneſs, Activity, and Soundneſs of Mind, which he maintained to ninety and upwards, make even theſe trivial Circumſtances worthy of being remembered.

In reference to his Manners, Religion claims the firſt Place. He acknowledged *GOD* the Author of all Things, but thought too reverently of him, to believe his Nature could be comprehended within the narrow Limits of human Underſtanding. But what gave a handle to ſome to treat him as an Atheiſt, was the Contempt he expreſſed for many of thoſe ſcholaſtick Terms invented by aſſuming Men, who would impoſe their own crude Notions of the Divine Being on their fellow Creatures, as Articles of Faith. Neither was it with any greater Foundation that they reported he was afraid to be alone, from an Apprehenſion of Spectres, Ghoſts, *&c.* all Notions of which were driven away from him, by the clear Light of Philoſophy. Yet it is very poſſible he might not affect Solitude, that he might avoid unneceſſarily expoſing himſelf to the Violence or the Frauds of the Numbers that had declared themſelves his Enemies. He embraced the Chriſtian Religion, as taught in the reformed Church of *England* as by Law eſtabliſhed, and was equally ready to defend her Tenets when attacked by Papiſts or Sectaries. He had a great Averſion to Theological Controverſies, but was much inclined to whatever tended to promote Piety, or ſound Morals. He thought it more pious and reverent to believe in *GOD*, than to pretend to comprehend him. He would often blame ſuch (whatever their Profeſſion might be) as pretended to innovate the Simplicity of the Chriſtian Faith, by intermixing therewith vain, and ſometimes profane Speculations of their own. He thought it would turn much more to the Benefit of Society, if after eſtabliſhing a due Reverence for the Supreme Being, Men inſtead of conteſting together about theſe Speculations, would apply themſelves to Study, and perform the ſeveral Offices to which they are called in civil Life. Of this he was himſelf a good Example; always concerned for the Welfare of his Country; moſt obſervant in his Duty to his Sovereign; religiouſly faithful in his Friendſhips; and truly beneficent to his Relations. The hereditary Eſtate of the Family, which was of ſome Value, he made over to his Brother ſome Years before his Death. Several other Acts of Kindneſs he did in his Life-time to thoſe who were of Kin to him, and diſtributed his little Fortune very prudently amongſt them at his Death. To the Poor he was compaſſionate and charitable, to the Extent of his Abilities, and to the reſt of the World in general, ſtrictly juſt and obſervant, as far as became him. In his Converſation his Cuſtom was to mingle with that ſound Language which is ſuitable to grave Subjects, a peculiar kind of Pleaſantry, that prevented the Hearer from becoming weary. He had naturally a wonderful Readineſs in anſwering whatever was propounded to him, but this was corrected, or rather regulated by his Judgment, which taught him to deliberate, and to think well with himſelf before he ſpoke. He was of a ſimple and open Diſpoſition, deſirous of inſtructing others, and very willing to communicate whatever he knew; mild and complaiſant to every Body, except perhaps to ſome impertinent Pretenders to Learning, who under Pretence of diſplaying their Abilities, came purely to cavil with, and contradict him. He never attacked others, but when attacked himſelf, he ſhewed Spirit enough in his own Defence, yet was withal a little too tenacious of his own Opinions.

His Capacity was vaſt, ſo that he went to the very Bottom of whatever he undertook to examine; his Genius lively and penetrating, but at the ſame Time he was very ſtudious in his Enquiries; and in the Proſecution of the Labours he once began, indefatigable. His great Age conſidered, he was a Man of no great Reading; *Homer*, *Virgil*, *Thucydides*, *Euclid*, were Authors with whom he was moſt delighted. He would ſay himſelf upon this Subject, that if he had read as much as others, he ſhould have been as ignorant as they were. Such is the Character, and ſuch were the Manners of the Philoſopher of *Malmeſbury*, if we may depend upon the Account given by Dr. *Blackbourne*, who is ſaid to have been aſſiſted with the beſt Materials. But as the Reader may be inclined to ſee the ſame Facts ſtated by a learned Perſon of very different Sentiments, he will find them in the Author's own Words in the Notes[*]. As to our Author's Sentiments in Politicks and Divinity, they were ſuch as raiſed him a Multitude of Enemies, ſome of whom were very deſirous that he ſhould have been refuted by Authority; or in other Words, that he ſhould have been puniſhed for advancing Doctrines deſtructive to all Religion, and tending to ſubvert the Liberties of Mankind. This obliged Mr. *Hobbes* to write ſeveral Apologies for himſelf, and one more eſpecially directed to the King, in which he declared that none of theſe Deſigns ever entered into his Thoughts, and that if any of his Writings were in reality repugnant to the Laws of the Land, or to the Doctrines of the eſtabliſhed Church, it was not his Intention to maintain, but to retract them; which Diſpoſition of his, tho' it was far from giving Satiſfaction

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[*] The Author referred to in the Text is Dr. *White Kennett*, afterwards Biſhop of *Peterborough*, who in his Memoirs of the *Cavendiſh* Family, *p.* 107. writes thus, "The Earl for his whole Life entertained Mr. *Hobbes* in his Family, as his old Tutor, rather than as his Friend or Confident; he let him live under his Roof in Eaſe and Plenty, and in his own Way, without making uſe of him in any publick, or ſo much as domeſtick Affairs. He would often expreſs an Abhorrence of ſome of his Principles in Policy and Religion, and both he, and his Lady, would frequently put off the Mention of his Name, and ſay, he was an Humoriſt, and that no Body could account for him. There is a Tradition in the Family, of the Manners and Cuſtoms of Mr *Hobbes* ſomewhat obſervable. His profeſſed Rule of Health, was to dedicate the Morning to his Exerciſe, and the Afternoon to his Studies. And therefore at his firſt riſing he walked out, and climbed any Hill within his Reach; or if the Weather was not dry, he fatigued himſelf within Doors by ſome Exerciſe or other, to be in a Sweat, recommending that Practice upon this Opinion, that an old Man had more Moiſture than Heat, and therefore by ſuch Motion Heat was to be acquired, and Moiſture expelled. After this he took a comfortable Breakfaſt, and then went round the Lodgings to wait upon the Earl, the Counteſs, and the Children, and any conſiderable Strangers, paying ſome ſhort Addreſſes to all of them. He kept theſe Rounds till about twelve a Clock, when he had a little Dinner provided for him, which he eat always by himſelf without Ceremony. Soon after Dinner he retired to his Study, and had his Candle, with ten or twelve Pipes of Tobacco laid by him, then ſhutting his Door, he fell to ſmoaking, thinking, and writing for ſeveral Hours. He retained a Friend or two at Court, and eſpecially the Lord *Arlington*, to protect him if Occaſion ſhould require. He uſed to ſay, that it was lawful to make uſe of ill Inſtruments to do ourſelves good. If I were caſt, ſays he, into a deep Pit, and the Devil ſhould put down his cloven Foot, I would take hold of it to be drawn out by it. Towards the End of his Life he had very few Books, and thoſe he read but very little, thinking he was now able only to digeſt what formerly he had fed upon. If Company came to viſit him, he would be free in Diſcourſe till he was preſſed or contradicted, and then he had the Infirmities of being ſhort and peeviſh, and referring to his Writings for better Satiſfaction. His Friends who had the Liberty of introducing Strangers to him, made theſe Terms with them before their Admiſſion, that they ſhould not diſpute with the old Man, nor contradict him."—After mentioning the Apprehenſions Mr. *Hobbes* was under when the Parliament cenſured his Book, and the Methods he took to eſcape Perſecution, he proceeds in the following Terms. "It is not much to be doubted, that upon this Occaſion, he began to make a more open Shew of Religion and Church Communion. He now frequented the Chapel, joined in the Service, and was generally a Partaker of the Holy Sacrament. And whenever any Strangers in Converſation with him ſeemed to queſtion his Belief, he would always appeal to his Conformity in Divine Services, and referred them to the Chaplain for a Teſtimony of it. Others thought it a mere Compliance to the Orders of the Family, and obſerved that in City and Country he never went to any Pariſh Church, and even in the Chapel upon *Sundays*, he went out after Prayers, and turned his Back upon the Sermon, and when any Friend aſked the Reaſon of it, he gave no other but this, *They could teach him nothing but what he knew*. He did not conceal his Hatred to the Clergy, but it was viſible that the Hatred was owing to his Fear of their Civil Intereſt and Power. He had often a Jealouſy that the Biſhops would burn him, and of all the Bench he was moſt afraid of the Biſhop of *Sarum*, becauſe he had moſt offended him, thinking every Man's Spirit to be Remembrance and Revenge.—After the Reſtoration, he watched all Opportunities to ingratiate himſelf with the King and his Prime Miniſters, and looked upon his Penſion to be more valuable, as an Earneſt of Favour and Protection, than upon any other Account. His following Courſe of Life was to be free from Danger: He could not endure to be left in an empty Houſe; whenever the Earl removed, he would go along with him, even to his laſt Stage, from *Chatſworth* to *Hardwick*. When in a very weak Condition, he dared not be left behind, but made his Way upon a Feather Bed in a Coach, tho' he ſurvived the Journey but a few Days. He could not bear any Diſcourſe of Death, and ſeemed to caſt off all Thoughts of it: He delighted to reckon upon longer Life. The Winter before he died, he made a warm Coat, which he ſaid muſt laſt him three Years, and then he would have ſuch another. In his laſt Sickneſs, his frequent Queſtions were, Whether his Diſeaſe was curable? and when Intimations were given that he might have Eaſe, but no Remedy, he uſed this Expreſſion, *I ſhall*

faction to his Opponents, might very probably defend him from ſuffering for his Opinions, for which it is very certain he was never judicially called in queſtion[1].

He was however attacked from the Preſs by many eminent Perſons of different Parties, who loaded him with heavy Imputations. Againſt very few of theſe he wrote in his own Defence, but whenever he did write, he had much Attention paid to him, and was not always thought in the wrong. It is very certain, that notwithſtanding thoſe very extraordinary Liberties which were taken with him by his Antagoniſts, who made no Scruple of affirming, that he meant Things which he

never

“ *ſhall be glad then to find a Hole to creep out of the World at*, which are reported to have been his laſt ſenſible Words; and his lying ſome Days following in a ſilent Stupefaction, did ſeem owing to his Mind, more than to his Body. The only Thought of Death that he appeared to entertain in time of Health, was to take care of ſome Inſcription on his Grave. He would ſuffer ſome Friends to dictate an Epitaph, among which he was beſt pleaſed with this Humour: *This is the true Philoſopher's Stone*, which indeed would have had as much Religion in it, as that which now remains.” Whoever reads the *Preface* that ſtands before Mr. *Hobbes*'s *Diſcourſe on Liberty and Neceſſity*, will find our Prelate had great Provocation to beſtow this Character upon the Philoſopher of *Malmeſbury*, more eſpecially when he was dead, and had it not in his Power to reply to it. Some things there are in it, which at firſt ſight are not very reconcileable; ſuch as the Earl of *Devonſhire*'s deteſting Mr. *Hobbes*'s Opinions, and yet accepting the Dedication; of his Life; burying his Body cloſe to that of his Grandmother; and giving an hundred Pounds to anſwer the Diſpoſitions made by Mr. *Hobbes*'s Will. This has not much the Air of of Deteſtation, but that the noble Lord deteſted the Opinions aſcribed to Mr. *Hobbes* is very certain, nor is it leſs ſo that Mr. *Hobbes* deteſted them himſelf. One thing is very remarkable, there is not a Syllable in this Account of the Declaration made by the Earl's Chaplain, to which honeſt *Anthony Wood* gave a Place in his Article, as being deſirous to repreſent Things as they were, without employing any Exaggeration or Artifice on either Side.

[1] In the laſt Note, notice has been taken of Mr. *Hobbes*'s Apologies, the largeſt of which, entitled *Conſiderations on the Reputation, Loyalty*, &c. is inſerted in this Collection, where the Reader will find that Mr. *Hobbes* could defend himſelf with great Strength and Spirit, againſt all the Accuſations of his Adverſaries, and retort many upon themſelves. The other Apology is contained in his Dedication to the King, of a ſhort Treatiſe of his, entitled *Seven Philoſophical Problems, and two Propoſitions of Geometry*. This not falling within the Compaſs of the preſent Deſign, that Apology, for the Reader's Satisfaction, ſhall be inſerted here: “ The Doctrine of natural Cauſes hath not infallible and evident Principles. For there is no Effect which the Power of God cannot produce by many ſeveral Ways. But ſeeing all Effects are produced by Motion, he that ſuppoſing ſome one or more Motions can derive from them the Neceſſity of that Effect whoſe Cauſe is required, has done all that is to be expected from natural Reaſon. And though he prove not that the Thing was thus produced, yet he proves that thus it may be produced, when the Materials and the Power of moving is in our Hands, which is as uſeful as if the Cauſes themſelves were known. And notwithſtanding the abſence of rigorous Demonſtration, this Contemplation of Nature, if not rendered obſcure by empty Terms, is the moſt noble Employment of the Mind that can be, to ſuch as are at leiſure from their neceſſary Buſineſs. This that I have done, I know is an unworthy Preſent to be offered to a King, though conſidered (as God conſiders Offerings) together with the Mind and Fortune of the Offerer, I hope will not be to your Majeſty unacceptable. But that which I chiefly conſider in it is, that my Writing ſhould be tried by your Majeſty's excellent Reaſon, untainted with the Language that has been invented, or made uſe of by Men when they were puzzled, and who is acquainted with all the Experiments of the Time, and whoſe Approbation if I have the good Fortune to obtain, it will protect my Reaſoning from the Contempt of my Adverſaries. I will not break the Cuſtom of joining to my Offering a Prayer; and it is, that your Majeſty will be pleaſed to pardon this following ſhort Apology for my *Leviathan*; not that I rely upon Apologies, but upon your Majeſty's moſt gracious general Pardon. That which is in it of Theology, contrary to the general Current of Divines, is not put there as my Opinion, but propounded with ſubmiſſion to thoſe that have the Power Eccleſiaſtical. I did never after either in Writing or Diſcourſe maintain it. There is nothing in it againſt Epiſcopacy. I cannot therefore imagine what reaſon any Epiſcopal Man can have to ſpeak of me, as I hear ſome of them do, as of an Atheiſt, or Man of no Religion, unleſs it be for making the Authority of the Church depend wholly upon the Regal Power, which I hope your Majeſty will think is neither Atheiſm nor Hereſy. But what had I to do to meddle with Matters of that Nature, ſeeing Religion is not Philoſophy, but Law? It was written in a Time when the Pretence of Chriſt's Kingdom was made uſe of for the moſt horrid Actions that can be imagined; and it was in juſt Indignation of that, that I deſired to ſee the bottom of that Doctrine of the Kingdom of Chriſt, which divers Miniſters then preached, for a Pretence to their Rebellion, which may reaſonably extenuate, tho' not excuſe the Writing of it. There is therefore no ground for ſo great a Calumny in my Writings; there is no Sign of it in my Life; and for my Religion, when I was at the point of Death at St. *Germains*, the Biſhop of *Durham* can bear witneſs of it, if he be aſked. Therefore I moſt humbly beſeech your ſacred Majeſty, not to believe ſo ill of me, upon Reports that proceed often (and may do ſo now) from the Diſpleaſure which commonly ariſeth from Difference in Opinion, nor to think the worſe of me, if ſnatching up all the Weapons to fight againſt your Enemies, I lighted upon one that had a double Edge.

“ Your Majeſty's poor,
“ and moſt loyal Subject,
THOMAS HOBBES.

never ſaid, as well as interpreting what he really ſaid to Purpoſes he never meant; yet inſtead of leſſening, they contributed to raiſe his Credit, and have ſo twiſted their own with his, that the Hiſtory of Mr. *Hobbes*, and his Philoſophy, is very neceſſary to be known, in order to the right underſtanding the Writings of our beſt Authors, which whatever their Intention might be, will not fail to keep up his Reputation [m].

As the moral and political Writings of our Author were publiſhed in *Latin*, as well as in our own Language, his Fame was far from being

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[m] As ſoon as Mr. *Hobbes* began to publiſh his firſt Treatiſes in reference to Politicks, he was attacked by ſeveral conſiderable Perſons, and which is very ſtrange, by ſuch as wrote againſt each other. As for inſtance, *James Harrington*, Eſq; in his *Oceana*, falls very often upon our Author's Writings, with great Freedom and Spirit, which was natural enough. But one would however ſcarce have imagined, that Sir *Robert Filmer*, in his *Obſervations concerning the Original of Government*, ſhould ſpend a whole Section in refuting the Doctrines contained in the *Leviathan*, which however he has done, tho' he confeſſes Mr. *Hobbes*'s Book to be right in the *main*, only it did not agree with his Notions laid down in his *Patriarcha*. Doctor *Matthew Wren* in an excellent Book of his, entitled *Monarchy aſſerted*, juſt mentions Mr. *Hobbes*, but that at the bottom he, who oppoſed *Harrington* in every Thing, was ſtill far from Mr. *Hobbes*'s Sentiments, appears from the Pains taken by the Earl of *Clarendon*, to engage that worthy Perſon to write againſt him. There was a furious Paper War between our Author and Dr. *Wallis*, which laſted all the Life-time of the former; and it was in Anſwer to a Treatiſe which the Doctor publiſhed, entitled *Hobbius Heautontimoromenos, ſive contra Dialogos ejus Phyſicos diſſertatio*, that he wrote his *Conſiderations on the Reputation and Loyalty*, &c. which is addreſſed to the Doctor. We have already mentioned the Primate of *Ireland*, *Bramhall*, who was one of our Author's moſt early Opponents, and the Biſhop of *Ely*, as alſo Dr. *Seth Ward*, who is thought to be the Perſon mentioned by Mr. *Wood*, when he ſays, that one who was made a Biſhop ſoon after the Reſtoration, would ſay, *that he had rather be the Author of one of Mr.* Hobbes's *Books, than be King of* England. At the time he ſaid this, he could not ſurely think Mr. *Hobbes* an Atheiſt. Dr. *William Lucy*, afterwards Biſhop of St. *David's*, wrote two Treatiſes againſt the *Leviathan*, under the aſſumed Name of *William Pyke*; as did alſo Dr. *Sharrock*, whoſe Books, tho' in other Reſpects eſteemed, were not thought to have effected the End for which they were written. Archbiſhop *Teniſon* publiſhed a ſmall Octavo in 1671, under the Title of *The Creed of Mr.* Hobbes *examined*, dedicated to the Earl of *Mancheſter*. It is written by way of *Dialogue* between *Mr.* Hobbes *and a Student in Divinity at* Buxton-Wells, and is penned with the utmoſt Perſpicuity and Politeneſs, as well as great Judgment and Learning; but above all, is remarkable for its Impartiality, there being nothing put in the Mouth of Mr. *Hobbes* but what is taken out of his own Writings, and expreſſed in his own Words. Dr. *Cumberland*'s excellent Treatiſe *of the Laws of Nature*, was likewiſe written againſt our Author's Syſtem, and is deſervedly eſteemed the cloſeſt and the beſt Book of its kind; indeed he is the only one of all Mr. *Hobbes*'s Antagoniſts, that underſtood the Advantages the old Man had, as appears by his chuſing a freſh Ground, and diſputing in a manner quite different from the reſt. The famous Dr. *Henry Moore* has, in different Parts of his Works, canvaſſed and refuted ſeveral Poſitions of Mr. *Hobbes*, and the Philoſopher of *Malmeſbury* is ſaid to have been ſo ingenuous, as to own that whenever he diſcovered his own Philoſophy to be unſuſtainable, he would embrace the Opinions of Dr. *Moore*. Dr. *John Templar* of *Cambridge* publiſhed in 1673 a *Latin* Treatiſe againſt our Author, entitled *Idea Theologiæ Leviathanis*; and Mr. *Shafto* wrote likewiſe a *Vindication of the great Law of Nature* the ſame Year in *Engliſh*, in Oppoſition to the Notions of Mr. *Hobbes*. Neither muſt we forget the two Dialogues of Dr. *John Echard*, between *Timothy* and *Philalethes*, or Dr. *Parker*'s (afterwards Biſhop of *Oxford*) large Work, entitled *Diſputationes de Deo et Providentiâ Divinâ*, in which our Author is very roughly handled, tho' in very elegant *Latin*. His Notions are likewiſe combated in Dr. *Cudworth*'s *intellectual Syſtem*, tho' there is no mention made of his Name. There was one Mr. *Whitehall* of the *Inner-Temple* who wrote againſt his *Behemoth*; and we find ſeveral Parts of his Philoſophy examined, and refuted by the Honourable *Robert Boyle*. But in the midſt of theſe Contentions, as we have already ſhewn, he wanted not either Patrons or Friends who expreſſed a great Eſteem for him, and for his Writings; the Names of many of theſe we have already mentioned, to which we may add the famous Sir *Kenelm Digby*, who was himſelf a great Philoſopher; the judicious Mr. *Chillingworth*; *Edmond Waller* of *Beconsfield*, Eſq; whoſe Poetry will live as long as our Language is underſtood; Sir *Henry Blunt*; *Francis Oſborne*, Eſq; whoſe Writings are ſufficiently known; Mr. *Samuel Butler*, who wrote that admirable Poem, entitled *Hudibras*; Sir *William Davenant*, Poet-Laureat in two Reigns; Dr. *Walter Charlton*, diſtinguiſhed for his extenſive Knowledge in every Branch of uſeful Literature; and Dr. *Ralph Bathurſt*, who together with Mr. *Jaſper Maine*, Canon of *Chriſt-Church*, were his conſtant Admirers. Among later Writers there have been two eminent Prelates, who tho' they have hardly agreed in any thing elſe, have each had a Stroke at the Character of Mr. *Hobbes*. Biſhop *Burnet*, who in his Hiſtory of his own Times has given a dreadful Character of the *Leviathan*; and Biſhop *Atterbury*, who in one of his Sermons has vouchſafed to aſſign the Reaſons why Mr. *Hobbes* was continually terrified with the Apprehenſions of Ghoſts and Apparitions. There might have been much more ſaid upon this Subject, but that we are unwilling to fatigue the Reader, and have therefore mentioned ſuch only as readily occurred, and whoſe Writings are in every Body's hands.

confined within the Limits of his native Country; on the contrary, his Notions are as well known, and have excited as much Attention abroad as at home. Some great Men have cenſured him as a dangerous, and even as an impious Writer; others again, putting a milder Conſtruction upon what he has advanced, acquit him of the Charge of *Atheiſm* and *Irreligion*, believing that when he refers the Authority of Theological Syſtems entirely to the Civil Power, he meant no more thereby, than that the Forms of religious Worſhip might be preſcribed by the Sovereign Authority in every Country, and that according to the Principles of Equity, private Men ought not be at Liberty to excite Sedition and Diſſention, under Colour of eſtabliſhing their particular Notions about divine Worſhip. In ſhort, there is as great Variety and Difference in the Sentiments of learned Foreigners concerning this Man and his Writings, as amongſt our own, as will be readily confeſſed by ſuch as ſhall take the Pains to conſult the Works of thoſe eminent Writers who have mentioned them [n]. It has been thought a very ſtrong Preſumption of the Malignity of his Opinions, that his Writings were attacked not only as erroneous and heretical, but as impious and atheiſtical, by many able and famous Divines of different Countries, and different Churches. But this Objection, when thoroughly examined, will not be found by any Means ſo preſſing or concluſive as at firſt Sight it ſeems. For whatever Way the Queſtion be determined in reference to the Impiety of Mr. *Hobbes*'s Writings, it is very eaſy to perceive, that he had offered unpardonable Injuries to Divines, of which he was ſo ſenſible himſelf, that he did not ſo much as diſavow it. It is not therefore at all improbable, that the Diſlike he expreſſed to the Claims of ſo learned, ſo numerous, and ſo powerful a Body of Men, might incline them to entertain a very bad Opinion of his Sentiments; and this being once framed, it was not at all difficult to lay the Blame upon Mr. *Hobbes*'s Principles, and to doubt of the Piety of one who had found fault with their Power. This Account of the Matter is ſo far from being ſingular or ſtrange, that in reality it is very eaſy and natural, ſince whoever conſults the many hiſtorical Treatiſes concerning Atheiſm and Atheiſts, will find that the very ſame Crime, I mean contemning the Power of the Clergy, has been the true Cauſe why many other great Names have been inſerted in thoſe black Liſts. Beſides, while the Church was oppreſſed, Mr. *Hobbes* was not very loudly accuſed of Atheiſm here at home, but when its Power was reſtored, a great Clamour was raiſed againſt his Opinions, even by ſome who were well enough pleaſed with them before. When this was once done, it is not at all ſtrange, that the Number of his Adverſaries daily increaſed; for thoſe who were his Enemies on other Accounts, and more eſpecially ſuch as diſliked his political Sentiments, were willing enough to join in the Cry, as knowing very well, that if the World was once perſuaded that he was an irreligious Man, they would pay very little Reſpect to his Notions about other Things; and as they were deſirous of having his Notions exploded and condemned by the higheſt Authority, they could not but be well pleaſed with having ſo fair an Opportunity of running them down; and in this it muſt be allowed that they were very ſucceſsful, ſince there are very few Writers againſt whom the Stream of Authority has been ſtronger than againſt him of whom we are ſpeaking.

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[n] It would require a Volume, and that of no inconſiderable Size, barely to enumerate the ſeveral foreign Writers of Note, who have either cenſured or commended the Writings of *Thomas Hobbes*. We ſhall therefore content ourſelves with mentioning a few only of the moſt conſiderable. To begin then with thoſe who wrote in his Lifetime. *Adam Oſiander*, a *German* Divine, in his Treatiſe *De Typo Legis Naturæ*, inveighed againſt him with great Bitterneſs. *Regnerus a Manſvelt*, Profeſſor of Philoſophy in the Univerſity of *Utrecht*, in a Book written againſt *Spinoza*, takes Occaſion to fall very ſeverely upon the Writings of Mr. *Hobbes*. *Samuel Rachelius*, an eminent Lawyer of *Holſtein*, in his large Work concerning the Law of Nature and Nations, declares alſo with great Warmth againſt the Sentiments of our Author. Dr. *Gilbert Cocquius*, a *Dutch* Divine, wrote a Book under the Title of *Vindiciæ pro Lege & Imperio*, expreſly againſt *Hobbes*'s Treatiſe *De Cive*; out of which, if there be taken what he borrows from the Writings of *Calvin* and *Beza*, very little worth Notice will be left. The ſame Author wrote another Treatiſe, entitled *Hobbeſianiſmi Anatome*, in which he attacked moſt of our Author's Writings, and pretended to prove that *Hobbes* had apoſtatized from the Chriſtian Religion; by which however he gained no great Reputation to himſelf, nor does it appear that he has done much Hurt to that of our Author, in the Sentiments of candid and impartial Readers, who will always diſtinguiſh between Aſſertions and Evidence. The learned and laborious *John George Morhoff*, in his great and uſeful Work, entitled *Polyhiſtor*, makes frequent Mention of *Thomas Hobbes* and his Writings, but ſpeaks of them always with Severity and Diſlike, from a Perſuaſion, that excluſive of their plain and natural Import, they have another and concealed Meaning of a dark and dangerous Tendency. Dr. *Francis Buddeus* places *Thomas Hobbes* after Sir *Thomas Brown* in his Catalogue of *Engliſh* Atheiſts, but is ſo modeſt as not to fix that Character abſolutely upon either of them. *Frederick Reimmannus*, in his *Univerſal Hiſtory of Atheiſm and Atheiſts*, places him before Sir *Thomas Brown*, and immediately after *Edward* Lord *Herbert* of *Cherbury*, adding, that as he was ſhrewder, and more learned, ſo he was alſo better verſed in Philoſophy than that noble Perſon, which is a Character that very poſſibly Mr. *Hobbes* may no better deſerve than he does that of an Atheiſt. It is not however from all Foreigners, or even from all the *German* Writers, that Mr. *Hobbes* has received ſuch bad Treatment; on the contrary, the judicious and indefatigable *Gundlingius*, in his excellent *Obſervations on Matters relative to Learning*, has written a long and curious Diſſertation in Defence of *Hobbes*, in which, with great Judgment, and by Dint of ſtrong Arguments, he ſhews that he is unjuſtly accuſed of Atheiſm. And indeed if we conſider how many great and good Men are aſperſed by the ſame Writers, with the ſame Imputations that are caſt upon *Hobbes*, we cannot but believe that this knowing and diſintereſted Critick is in the right. The celebrated *Leibnitz* ſeems to be however of a contrary Opinion, to whoſe Judgment notwithſtanding we may oppoſe that of the no leſs famous Mr. *Bayle*, who in the long Article that he has given us of our Author, treats him with Candour and Decency. In fine, we may conclude theſe Remarks with obſerving, that it is the Deductions which others have made from Mr. *Hobbes*'s Writings, that render them dangerous, by their finding in them Poſitions which the Author abſolutely denied, and drawing from them Conſequences which he never meant, at leaſt if he knew his own Meaning. There is therefore good Reaſon to wiſh, that in this learned and impartial Age, his Philoſophy might be again reviewed, thoſe Things that are good in him ſevered and collected from whatever there may be amiſs, and the reſt rejected; for ſurely ſo many great and able Judges as have given publick Teſtimonies of their Eſteem for him and his Writings, could not be abſolutely deceived, and beſtow their Applauſe on a Man altogether void of Merit. On the other hand, there can now no Miſchief happen from collecting and publiſhing his Writings, even ſuppoſing there was any Foundation for thoſe Suſpicions inſinuated, of there being ſome Opinions hidden under plauſible Expreſſions which deſerve the ſevereſt Cenſure, ſince theſe have been detected, expoſed, and refuted by ſo many learned and able Men. The Reader will perceive I make myſelf no Party in this Diſpute, nor am at all inclined to defend Mr. *Hobbes* farther than

Another Thing often inſiſted upon to the Prejudice of Mr. *Hobbes*, and his Writings, is, that he wrote no ample Defence of his Syſtem when attacked, and that very few great or good Men have attempted to vindicate his Sentiments either at Home or Abroad; but to this alſo a tolerable Anſwer may be given. He was very far from deſerting his own Cauſe, as appears from thoſe Apologies which have been more than once mentioned, and indeed from the whole Stream of his Writings, after his publiſhing his *Leviathan*; but he was obliged to write with great Caution, ſince his Adverſaries not only threatened him with Eccleſiaſtical Cenſures, but with that ſort of Conviction by the ſecular Arm, which no Arguments either ſtrong or weak can reſiſt. Beſides, he ſaw it was in vain for him to write upon the moſt important Articles, concerning his Senſe of which he was attacked, becauſe his Opponents made every Thing criminal that he ſaid; and this even when they ſaid the very ſame Thing themſelves. He contented himſelf therefore with denying their Imputations, and aſſerting that the impious Syſtem about which they made ſuch a Noiſe, was not at all contained in his Writings, as he meant, and deſired they ſhould be underſtood. He appealed to matters of Fact, to prove his Innocence of many Things with which he was charged; ſuch as, that *Cromwell* was but a private Man, when he publiſhed his *Leviathan*, ſo that he could not poſſibly write it to

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than his Works are conſiſtent with themſelves and with *Truth*. I know very well how vain ſuch an Attempt would be, with all the Skill and Learning poſſible, and how ridiculous in ſo weak Hands as mine; but at the ſame Time I am ſatisfied that the Spirit of Prejudice and Prepoſſeſſion which purſued him living, is in a good Meaſure extinct, and that before he is condemned he will be allowed a Hearing, and not receive Sentence according to the Repreſentations given of his Writings by his Enemies, who perhaps have done more Hurt to the Chriſtian Religion by their Surmiſes, and publiſhing atheiſtical Notions extracted, as they pretended, out of his Books, than ever he did by his Philoſophy or Politicks, when read unaccompanied by ſuch Comments.

obtain his Protection; that he adhered to the Church of *England* in Popiſh Countries, which was viſibly againſt his Intereſt; that he remained in Communion with that Church when ſubverted at home, which he could not do from a Principle of Intereſt; that he never courted any of the uſurped Powers, as moſt of his Opponents did; and that the whole Tenor of his Life and Actions was ſuch, as did not by any means diſpoſe him to have a ſecret Deſire of freeing himſelf from the great Truths of Religion. On the other hand, it is very certain that ſome very learned and pious Perſons had a very good Opinion of Mr. *Hobbes*, and of his Sentiments; notwithſtanding which, it is very far from being ſurprizing, they did not draw their Pens in their Defence. They might be afraid of drawing Clamour upon themſelves, they might doubt of their own Abilities, or they might queſtion whether thoſe were ſincere who attacked Mr. *Hobbes*, ſince there wanted not ſome who attacked others of diſtinguiſhed Reputation for Piety and Virtue, in the very ſame manner they did *Hobbes*, that is, inſidiouſly, and by pretending to take for their Notions, things which they never advanced. But the Reader will ſee in the Notes, that ſome have defended Mr. *Hobbes*, and that with great Force and Warmth. *Bayle*, in ſeveral Parts of his Works, ſhews frequently, that thoſe who undertook to refute Mr. *Hobbes* did not underſtand him; and that when for inſtance, *Poiret* charged *Hobbes* with contradicting himſelf in his Notions of the Deity, the real Fact was, that he did not himſelf attend ſufficiently to the Expreſſions which Mr. *Hobbes* uſed. I take the Liberty of adding to all this, that a very late Writer, Baron *Holberg*, who is deſervedly admired, not only in his own Country of *Denmark*, but over all the North of *Europe*, has publiſhed (tho' without naming our Author) a very judicious and ſenſible Apology for his Sentiments, in which he profeſſes, that Men of true Piety are much more ſcandaliz'd at hearing the bold and free Diſcourſes of thoſe, who pretend to explain the Divine Nature and Attributes, than at the decent Reſerve of ſuch as acknowledge a want of Capacity to penetrate into Divine Secrets, and who are humble enough to declare they are willing to hold only ſuch Notions of God, as are revealed to them by his Works and in his Word. Upon the whole, it muſt be allowed, that notwithſtanding the Paradoxical Notions he has maintained, the Vanity that appeared manifeſtly in ſome of his Writings, and that Obſtinacy with which he contended for the Truth of whatever he advanced, even againſt ſuch as were eſteemed ableſt in their reſpective Profeſſions, yet he was after all a Man of prodigious Parts, one who ſcrutinized deeply into Things and Men, wrote with great Freedom and Fluency even upon the moſt abſtracted Subjects, and one who, whatever Errors there might be in his Speculations, was in reſpect to his moral Character without any conſiderable Blemiſh.

Human Nature:
OR
The Fundamental Elements
OF
POLICY.

BEING
A Diſcovery of the *Faculties*, *Acts* and
Paſſions of the

SOUL of MAN,

From their Original Cauſes;

According to ſuch

Philoſophical Principles

As are not commonly known or aſſerted.

To the Right Honourable,

WILLIAM
EARL OF
NEWCASTLE.

Governor to the Prince his Highneſs, one of His Majeſty's Moſt Honourable Privy Council.

My moſt Honoured Lord,

FROM the principal Parts of Nature, Reaſon and Paſſion, have proceeded two kinds of Learning, *Mathematical* and *Dogmatical:* the former is free from Controverſy and Diſpute, becauſe it conſiſteth in comparing Figure and Motion only; in which things, *Truth*, and *the Intereſt of Men*, oppoſe not each other: but in the other there is nothing undiſputable, becauſe it compareth Men, and medleth with their Right and Profit; in which, as oft as Reaſon is againſt a Man, ſo oft will a Man be againſt Reaſon. And from hence it cometh, that they who have written of Juſtice and Policy in general, do all invade each other and themſelves with Contradictions. To reduce this Doctrine to the Rules and Infallibility of Reaſon, there is no way but, firſt, to put ſuch Principles down for a Foundation, as Paſſion, not miſtruſting, may not ſeek to diſplace; and afterwards to build thereon the Truth of Caſes in the Law of Nature (which hitherto have been built in the Air) by Degrees, till the whole have been inexpugnable. Now, my Lord, the Principles fit for ſuch a Foundation, are thoſe which heretofore I have acquainted your Lordſhip withal in private Diſcourſe, and which by your Command I have here put into a Method. To examine Caſes thereby between *Sovereign* and *Sovereign*, or between *Sovereign* and *Subject*, I leave to them that ſhall find Leiſure and Encouragement thereto: For my part, I preſent this to your Lordſhip for the true and only Foundation of ſuch Science. For the Stile, it is therefore the worſe, becauſe, whilſt I was writing, I conſulted more with Logick than with Rhetorick: But for the Doctrine, it is not ſlightly proved; and the Concluſions thereof are of ſuch Nature, as, for want of them, Government and Peace have been nothing elſe, to this Day, but mutual Fears: And it would be an incomparable Benefit to Common-wealth, that every one held the Opinion concerning *Law* and *Policy* here delivered. The Ambition therefore of this Book, in ſeeking by your Lordſhip's Countenance to inſinuate itſelf with thoſe whom the Matter it containeth moſt nearly concerneth, is to be excuſed. For myſelf, I deſire no greater Honour than I enjoy already in your Lordſhip's Favour, unleſs it be that you would be pleaſed, in continuance thereof, to give me more Exerciſe in your Commands; which, as I am bound by your many great Favours, I ſhall obey, being,

My moſt honoured Lord,
Your moſt humble,
and moſt obliged
Servant,

May 9, 1640.

THO. HOBBS.

Human Nature:
OR THE
Fundamental Elements
OF
POLICY.

CHAP. I.

THE true and perſpicuous Explication of the Elements of *Laws Natural and Politick* (which is my preſent Scope) dependeth upon the Knowledge of what is *Human Nature*, what is *Body Politick*, and what it is we call a *Law*; concerning which Points, as the *Writings* of Men from Antiquity downwards have ſtill increaſed, ſo alſo have the *Doubts* and *Controverſies* concerning the ſame: And ſeeing that true Knowledge begetteth not Doubt nor Controverſy, but Knowledge; it is manifeſt from the preſent Controverſies, that they which have heretofore written thereof, have not well underſtood their own Subject.

2. Harm I can do none, though I err no leſs than they; for I leave Men but as they are, in Doubt and Diſpute: but, intending not to take any Principle upon *Truſt*, but only to put Men in mind of what they *know already*, or *may know* by their own Experience, I hope to err the leſs; and when I do, it muſt proceed from too *haſty Concluding*, which I will endeavour as much as I can to avoid.

3 On the other Side, if *Reaſoning aright* win not *Conſent*, which may very eaſily happen, from them that being confident of their own Knowledge weigh not what is ſaid, the *Fault* is not mine but theirs; for as it is my Part to *ſhew* my Reaſons, ſo it is theirs to bring *Attention*.

4. Man's *Nature* is the *Sum of his natural Faculties and Powers*, as the Faculties of *Nutrition*, *Motion*, *Generation*, *Senſe*, *Reaſon*, *&c.* Theſe Powers we do unanimouſly call *Natural*, and are contained in the Definition of Man, under theſe Words, *Animal* and *Rational*.

5. According to the two principal Parts of Man, I divide his Faculties into two Sorts, Faculties of the *Body*, and Faculties of the *Mind*.

6. Since the minute and diſtinct Anatomy of the Powers of the *Body* is nothing neceſſary to the preſent Purpoſe, I will only ſum them up in theſe three Heads, Power *Nutritive*, Power *Motive*, and Power *Generative*.

7. Of the Powers of the *Mind* there be two Sorts, *Cognitive*, *Imaginative*, or *Conceptive* and *Motive*; and firſt of *Cognitive*.

For the Underſtanding of what I mean by the Power *Cognitive*, we muſt remember and acknowledge that there be in our Minds continually certain *Images* or Conceptions of the Things without us, inſomuch that if a Man could be alive, and all the reſt of the World annihilated, he ſhould nevertheleſs retain the *Image* thereof, and all thoſe Things which he had before ſeen or perceived in it; every one by his own Experience knowing, that the *Abſence* or *Deſtruction* of Things once imagined doth not cauſe the *Abſence* or *Deſtruction* of the *Imagination* itſelf. This *Imagery* and *Repreſentations* of the Qualities of the Things without, is that we call our *Conception*, *Imagination*, *Ideas*, *Notice* or *Knowledge* of them; and the *Faculty* or Power by which we are capable of ſuch Knowledge, is that I here call *Cognitive Power*, or *Conceptive*, the Power of knowing or conceiving.

CHAP. II.

2. *Definition of Senſe.*
4. *Four Propoſitions concerning the Nature of Conceptions.*
5. *The Firſt proved.*
6. *The Second proved.*
7,8. *The Third proved.*
9. *The Fourth proved.*
10. *The main Deception of Senſe.*

1. HAving declared what I mean by the Word *Conception*, and other Words equivalent thereunto, I come to the *Conceptions* themſelves; to ſhew their *Differences*, their *Cauſes*, and the *Manner of their Production*, ſo far as is neceſſary for this Place.

2. Originally all *Conceptions* proceed from the *Action* of the Thing itſelf, whereof it is the Conception: Now when the Action is *preſent*, the Conception it produceth is alſo called *Senſe*; and the Thing by whoſe Action the ſame is produced, is called the *Object of the Senſe*.

3. By our ſeveral *Organs* we have ſeveral *Conceptions* of ſeveral Qualities in the Objects; for by *Sight* we have a Conception or Image compoſed of *Colour* and *Figure*, which is all the Notice and Knowledge the Object imparteth to us of its Nature by the Eye. By *Hearing* we have a Conception called *Sound*, which is all the Knowledge we have of the Quality of the Object from the Ear. And ſo the reſt of the Senſes are alſo Conceptions of ſeveral Qualities, or Natures of their Objects.

4. Becauſe the *Image* in Viſion conſiſting of *Colour* and *Shape* is the Knowledge we have of the Qualities of the Object of that Senſe; it is no hard Matter for a Man to fall into this Opinion, that the ſame *Colour* and *Shape* are the *very Qualities themſelves*; and for the ſame Cauſe, that *Sound* and *Noiſe* are the *Qualities* of the Bell, or of the Air. And this Opinion hath been ſo long received, that the contrary muſt needs appear a great Paradox; and yet the Introduction of *Species viſible* and *intelligible* (which is neceſſary for the Maintenance of that Opinion) paſſing to and fro from the *Object*, is worſe than any Paradox, as being a plain Impoſſibility. I ſhall therefore endeavour to make plain theſe Points:

That the Subject wherein Colour and Image are inherent, is *not* the *Object* or Thing ſeen.

That there is nothing *without us* (really) which we call an *Image* or Colour.

That the ſaid Image or Colour is but an *Apparition* unto us of the Motion, Agitation, or Alteration, which the *Object* worketh in the Brain, or Spirits, or ſome internal Subſtance of the Head.

That as in *Viſion*, ſo alſo in Conceptions that ariſe from the *other Senſes*, the Subject of their *Inherence* is not the *Object*, but the *Sentient*.

5. Every Man hath ſo much Experience as to have ſeen the *Sun* and the other viſible Objects by Reflexion in the *Water* and *Glaſſes*; and this alone is ſufficient for

this Concluſion, that *Colour* and *Image* may be there where the *Thing ſeen* is *not*. But becauſe it may be ſaid, that notwithſtanding the *Image* in the Water be not in the Object, but a Thing merely *phantaſtical*, yet there may be *Colour* really in the Thing itſelf: I will urge further this Experience, that divers Times Men ſee directly the *ſame* Object *double*, as *two Candles* for *one*, which may happen from Diſtemper, or otherwiſe without Diſtemper if a Man will, the Organs being either in their right Temper, or equally diſtempered, the *Colours* and *Figures* in two ſuch Images of the ſame Thing *cannot be inherent* therein, becauſe the Thing ſeen cannot be in *two Places*.

One of theſe Images therefore is *not inherent* in the Object: but ſeeing the Organs of the Sight are then in equal Temper or Diſtemper, the *one* of them is no more inherent than the *other*; and conſequently *neither* of them both are in the Object; which is the firſt Propoſition, mentioned in the precedent Number.

6. Secondly, that the Image of any Thing by *Reflection* in a *Glaſs* or *Water* or the like, is *not* any Thing *in* or *behind* the Glaſs, or *in* or *under* the Water, every Man may grant to himſelf; which is the ſecond Propoſition.

7. For the third, we are to conſider, Firſt that upon every *great Agitation* or *Concuſſion* of the *Brain* (as happeneth from a Stroke, eſpecially if the Stroke be upon the Eye) whereby the Optick Nerve ſuffereth any great Violence, there *appeareth* before the *Eyes* a certain *Light*, which Light is *nothing without*, but an Apparition only, all that is real being the Concuſſion or Motion of the Parts of that Nerve; from which Experience we may conclude, that *Apparition of Light is really nothing but Motion* within. If therefore from *lucid Bodies* there can be derived *Motion*, ſo as to affect the Optick Nerve in ſuch manner as is proper thereunto, there will follow an *Image* of Light ſomewhere in that Line by which the Motion was laſt derived to the Eye; that is to ſay, in the Object, if we look directly on it, and in the Glaſs or Water, when we look upon it in the Line of Reflexion, which in Effect is the third Propoſition; namely, that Image and Colour is but an Apparition to us of that Motion, Agitation, or Alteration which the Object worketh in the Brain or Spirits, or ſome *internal* Subſtance in the Head.

8. But that from all lucid, ſhining and illuminate Bodies, there is a *Motion produced* to the Eye, and, through the Eye, to the *Optick* Nerve, and ſo into the *Brain*, by which that Apparition of *Light* or *Colour* is affected, is not hard to prove. And firſt, it is evident that the *Fire*, the only lucid Body here upon Earth, worketh by *Motion* equally every Way; inſomuch as the Motion thereof *ſtopped* or incloſed, it is preſently *extinguiſhed*, and no more Fire. And further, that that Motion whereby the Fire worketh, is *Dilation*, and *Contraction* of itſelf *alternately*, commonly called Scintillation or Glowing, is manifeſt alſo by Experience. From ſuch *Motion* in the Fire muſt needs ariſe a Rejection or caſting from itſelf of that Part of the Medium which is contiguous to it, whereby that Part alſo rejecteth the next, and ſo ſucceſſively one Part beateth back another to the very *Eye*; and in the ſame Manner the *exterior* Part of the Eye preſſeth the *interior*, (the Laws of Refraction ſtill obſerved.) Now the interior Coat of the Eye is nothing elſe but a Piece of the *Optick* Nerve; and therefore the Motion is ſtill continued thereby into the *Brain*, and by *Reſiſtance* or Re-action of the Brain, is alſo a *Rebound* into the Optick Nerve again; which we *not conceiving* as Motion or Rebound from *within*, do think it is *without*, and call it *Light*; as hath been already ſhewed by the Experience of a Stroke. We have no Reaſon to doubt, that the Fountain of Light, the *Sun*, worketh by any other Ways than the *Fire*, at leaſt in this Matter. And thus all *Viſion* hath its Original from ſuch *Motion* as is here deſcribed: for where there is no Light, there is no Sight; and therefore *Colour* alſo muſt be the ſame Thing with *Light*, as being the Effect of the lucid Bodies: their *Difference* being only this, that when the Light cometh *directly* from the Fountain of the Eye, or *inirectdly* by Reflexion from clean and poliſh'd Bodies, and ſuch as have *not* any particular Motion internal to alter it, we call it *Light*; but when it cometh to the Eye by Reflexion from uneven, rough, and coarſe Bodies,

(or ſuch as are affected with internal Motion of their own that may alter it) then we call it *Colour*; Colour and Light differing only in this, that the one is *pure*, and the other *perturbed* Light. By that which hath been ſaid, not only the Truth of the third Propoſition, but alſo the whole Manner of producing Light and Colour, is apparent.

9. As Colour is not inherent in the Object, but an Effect thereof upon us, cauſed by ſuch Motion in the Object, as hath been deſcribed: ſo neither is *Sound* in the Thing we hear, but in ourſelves. One manifeſt Sign thereof, is, that as a Man may *ſee*, ſo alſo he may *hear double* or *treble*, by Multiplication of *Echoes*, which Echoes are Sounds as well as the Original; and *not* being in one and the *ſame Place*, cannot be *inherent* in the Body that maketh them: Nothing can make any Thing which is not in itſelf: the *Clapper* hath no *Sound* in it, but *Motion*, and maketh Motion in the internal Parts of the Bell; ſo the *Bell* hath Motion, and not Sound, that imparteth *Motion* to the *Air*; and the *Air* hath Motion, but not Sound; the *Air* imparteth Motion by the *Ear* and *Nerve* unto the *Brain*; and the Brain hath Motion, but not Sound: from the *Brain*, it reboundeth back into the Nerves *outward*, and thence it becometh an *Apparition without*, which we call *Sound*. And to proceed to the *reſt* of the *Senſes*, it is apparent enough, that the *Smell* and *Taſte* of the *ſame Thing*, are *not* the *ſame* to *every Man*; and therefore are *not* in the Thing *ſmelt* or *taſted*, but in the *Men*. So likewiſe the *Heat* we feel from the Fire is manifeſtly in *us*, and is quite *different* from the Heat which is in the *Fire*: for *our* Heat is *Pleaſure* or *Pain*, according as it is *great* or *moderate*; but in the *Coal* there is no ſuch Thing. By this the fourth and laſt Propoſition is proved, *viz.* That as in Viſion, ſo alſo in Conceptions that ariſe from *other* Senſes, the Subject of their Inherence is not in the Object, but in the Sentient.

10. And from hence alſo it followeth, that *whatſoever Accidents* or Qualities our Senſes make us think there be in the *World*, they be *not* there, but are *Seeming* and *Apparitions* only: the Things that really *are* in the World without us, are thoſe *Motions* by which theſe Seemings are cauſed. And this is the *great Deception of Senſe*, which alſo is to be by Senſe *corrected*: for as Senſe telleth me, when I ſee *directly*, that the Colour ſeemeth to *be* in the Object; ſo alſo Senſe telleth me, when I ſee by *Reflexion*, that Colour is not in the Object.

CHAP. III.

1. *Imagination defined.*
2. *Sleep and Dreams defined.*
3. *Cauſes of Dreams.*
4. *Fiction defined.*
5. *Phantaſms defined.*
6. *Remembrance defined.*
7. *Wherein Remembrance conſiſteth.*
8. *Why in a Dream a Man never thinks he dreams.*
9. *Why few Things ſeem ſtrange in Dreams.*
10. *That a Dream may be taken for Reality and Viſion.*

1. AS ſtanding Water put into Motion by the Stroke of a Stone, or Blaſt of Wind, doth not preſently give over moving as ſoon as the Wind ceaſeth, or the Stone ſettleth: ſo neither doth the *Effect* ceaſe which the *Object* hath wrought upon the *Brain*, ſo ſoon as ever by turning aſide of the Organs the *Object* ceaſeth to work; that is to ſay, though the *Senſe* be *paſt*, the *Image* or Conception remaineth; but more obſcure while we are awake, becauſe ſome *Object* or other continually plieth and ſolliciteth our Eyes, and Ears, keeping the Mind in a ſtronger Motion, whereby the weaker doth not eaſily appear. And this obſcure Conception is that we call *Phantaſy* or *Imagination*: *Imagination* being (to define it) *Conception remaining, and by little and little decaying from and after the Act of Senſe.*

2. But when *preſent* Senſe is *not*, as in *Sleep*, there the *Images* remaining after Senſe (when there be many) as in Dreams, are *not obſcure*, but *ſtrong* and *clear*, as in Senſe itſelf. The Reaſon is, that which obſcured and made the Conceptions weak, namely Senſe, and preſent *Operation* of the Object, is *removed*: for *Sleep* is the *Privation of the Act of Senſe*, (the Power remaining) and *Dreams* are the *Imagination* of them that *ſleep*.

3. The *Cauſes* of Dreams (if they be natural) are the *Actions* or Violence of the *inward* Parts of a Man upon his *Brain*, by which the *Paſſages* of Senſe by Sleep *benumbed*, are *reſtored* to their Motion. The Signs by which this appeareth to be ſo, are the *Differences* of Dreams (old Men commonly dream oftener, and have their Dreams more painful than young) proceeding from the *different* Accidents of Man's Body; as Dreams of *Luſt*, as Dreams of *Anger*, according as the Heart, or other Parts within, work more or leſs upon the Brain, by more or leſs *Heat*; ſo alſo the Deſcents of different *Sorts of Flegm* maketh us a Dream of different Taſtes of Meats and Drinks; and I believe there is a *Reciprocation* of Motion from the Brain to the Vital Parts, and back from the Vital Parts to the Brain; whereby not only *Imagination* begetteth *Motion* in thoſe Parts, but alſo Motion in thoſe Parts begetteth Imagination like to that by which it was begotten. If this be true, and that *ſad* Imaginations nouriſh the *Spleen*, then we ſee alſo a Cauſe, why a ſtrong *Spleen* reciprocally cauſeth *fearful Dreams*, and why the Effects of *Laſciviouſneſs* may in a Dream produce the Image of ſome Perſon that had *cauſed* them. Another Sign that Dreams are cauſed by the Action of the inward Parts, is the *Diſorder* and caſual Conſequence of one Conception or Image to another: for when we are *waking*, the *Antecedent* thought or Conception introduceth, and is Cauſe of the *Conſequent*, (as the Water followeth a Man's dry Finger upon a dry and level Table) but in *Dreams* there is commonly *no Coherence* (and when there is, it is by Chance) which muſt needs proceed from this, that the *Brain* in Dreams is not reſtored to its Motion in every Part alike; whereby it cometh to paſs, that our Thoughts appear like the Stars between the flying Clouds, not in the Order which a Man would chuſe to obſerve them, but as the uncertain Flight of broken Clouds permits.

4. As when the *Water*, or any liquid Thing moved at once by *divers* Movents, receiveth *one* Motion compounded of them all; ſo alſo the *Brain* or Spirit therein, having been ſtirred by *divers* Objects, compoſeth an Imagination of *divers* Conceptions that appeared ſingle to the Senſe. As for Example, the Senſe ſheweth at one Time the Figure of a *Mountain*, and at another Time the Colour of *Gold*; but the Imagination afterwards hath them both at once in a *golden Mountain*. From the ſame Cauſe it is, there appear unto us *Caſtles* in the *Air*, *Chimæra's*, and other Monſters which are not in *Rerum Natura*, but have been conceived by the Senſe in Pieces at ſeveral Times. And this Compoſition is that which we commonly call *Fiction* of the Mind.

5. There is yet another Kind of Imagination, which for *Clearneſs contendeth* with *Senſe*, as well as a *Dream*; and that is, when the *Action* of Senſe hath been *long* or *vehement*: and the Experience thereof is more frequent in the Senſe of ſeeing, than the reſt. An Example whereof is, the *Image* remaining before the *Eye* after looking upon the *Sun*. Alſo, thoſe little Images that appear before the Eyes in the *dark*; whereof I think every Man hath Experience, (but they moſt of all, who are *timorous* or ſuperſtitious) are Examples of the ſame. And theſe, for Diſtinction-ſake, may be called *Phantaſms*.

6. By the *Senſes*, which are numbered according to the *Organs* to be *five*, we take Notice (as hath been ſaid already) of the Objects *without* us; and that *Notice* is our *Conception* thereof: but we take *Notice* alſo ſome Way or other *of our Conceptions*: for when the Conception of the ſame Thing cometh *again*, we take Notice that it is *again*; that is to ſay, that we have had the ſame Conception *before*; which is as much as to imagine a Thing *paſt*; which is impoſſible to the

Senſe, which is only of Things *preſent*. This therefore may be accounted a *ſixth Senſe*, but *internal*, (not *external*, as the reſt) and is commonly called *Remembrance*.

7. For the *Manner* by which we take Notice of a Conception *paſt*, we are to remember, that in the *Definition* of *Imagination*, it is ſaid to be a Conception by *little* and *little decaying*, or growing more *obſcure*. An *obſcure* Conception is that which repreſenteth the *whole Object* together, but *none* of the *ſmaller Parts* by themſelves; and as *more* or *fewer* Parts be repreſented, ſo is the Conception or Repreſentation ſaid to be *more* or *leſs clear*. Seeing then the *Conception*, which when it was *firſt* produced by Senſe, was *clear*, and repreſented the *Parts* of the Object *diſtinctly*, and when it cometh *again* is *obſcure*, we find *miſſing* ſomewhat that we expected; by which we judge it *paſt* and *decayed*. For Example, a Man that is preſent in a foreign *City*, ſeeth not only *whole* Streets, but alſo can diſtinguiſh particular *Houſes*, and *Parts* of Houſes; but departed thence, he cannot diſtinguiſh them ſo particularly in his Mind as he did, ſome *Houſe* or Turning eſcaping him: yet is this to *remember*; when *afterwards* there eſcape him *more* Particulars, this is alſo to *remember*, but *not ſo well*. In Proceſs of Time, the *Image* of the City *returneth* but as a *Maſs* of Building *only*, which is *almoſt* to have *forgotten* it. Seeing then Remembrance is *more* or *leſs*, as we find more or leſs *Obſcurity*, why may not we well think *Remembrance* to be nothing elſe but the *miſſing of Parts*, which every Man expecteth ſhould ſucceed after they have a Conception of the whole? To ſee at a great Diſtance of Place, and to remember at a great Diſtance of Time, is to have like Conceptions of the Thing: for there wanteth Diſtinction of Parts in both; the one Conception being weak by Operation at Diſtance, the other by Decay.

8. And from this that hath been ſaid, there followeth, that a Man can *never know* he *dreameth*; he *may* dream he *doubteth* whether it be a Dream or no: but the Clearneſs of the Imagination repreſenteth every Thing with as many Parts as doth Senſe itſelf, and conſequently, he can take Notice of nothing but as preſent; whereas to think he dreameth, is to think thoſe his Conceptions, that is to ſay Dreams, obſcurer than they were in the Senſe: ſo that he muſt think them both as clear, and not as clear as Senſe; which is impoſſible.

9. From the ſame Ground it proceedeth, that Men *wonder not* in their Dreams at Place and Perſons, as they would do waking: for waking, a Man would think it ſtrange to be in a Place where he never was before, and remember nothing of how he came there; but in a Dream, there cometh little of that kind into Conſideration. The *Clearneſs* of Conception in a Dream, taketh away *Diſtruſt*, unleſs the *Strangeneſs* be *exceſſive*, as to think himſelf fallen from on high without Hurt, and then moſt commonly he *waketh*.

10. Nor is it *impoſſible* for a Man to be ſo far deceived, as when his Dream is *paſt*, to think it real: for if he dream of ſuch Things as are ordinarily in his Mind, and in ſuch Order as he uſeth to do waking, and withal that he laid him down to ſleep in the Place where he findeth himſelf when he awaketh; all which may happen: I know no Κριτήριον or Mark, by which he can diſcern whether it were a Dream or not; and therefore do the leſs wonder to hear a Man ſometimes tell his Dream for a Truth, or to take it for a Viſion.

CHAP. IV.

1. *Diſcourſe.*
2. *The Cauſe of Coherence of Thoughts.*
3. *Ranging.*
4. *Sagacity.*
5. *Reminiſcence.*
6. *Experience.*
7. *Expectation.*
8. *Conjecture.*
9. *Signs.*
10. *Prudence.*
11. *Caveats of concluding from Experience.*

1. THE *Succeſſion* of Conceptions in the Mind, Series or Conſequence of one after another, may be *caſual* and incoherent, as in Dreams for the moſt part; and it may be *orderly*, as when the former Thought introduceth the latter; and this is *Diſcourſe* of the Mind. But becauſe the Word Diſcourſe is commonly taken for the *Coherence* and Conſequence of Words, I will, to avoid Equivocation, call it *Diſcurſion*.

2. The *Cauſe* of the *Coherence* or Conſequence of one Conception to another, is their firſt *Coherence* or Conſequence at that *Time* when they are produced by Senſe: As for Example, from St. *Andrew* the Mind runneth to St. *Peter*, becauſe their Names are read together; from St. *Peter* to a *Stone*, from the ſame Cauſe; from *Stone* to *Foundation*, becauſe we ſee them together; and for the ſame Cauſe, from Foundation to *Church*, and from Church to *People*, and from People to *Tumult*: and according to this Example, the Mind may run almoſt from any Thing to any Thing. But as in the *Senſe* the Conception of Cauſe and Effect may ſucceed one another; ſo may they after Senſe in the *Imagination*: And for the moſt part they do ſo; the *Cauſe* whereof is the *Appetite* of them, who, having a Conception of the *End*, have next unto it a Conception of the next *Means* to that End: As, when a Man, from a Thought of *Honour* to which he hath an Appetite, cometh to the Thought of *Wiſdom*, which is the next Means thereunto; and from thence to the Thought of *Study*, which is the next Means to Wiſdom.

3. To omit that kind of Diſcurſion by which we proceed from any Thing to any Thing, there are of the *other* Kind *divers* Sorts: As firſt, in the *Senſes* there are certain Coherences of Conceptions, which we may call *Ranging*: Examples whereof are: A Man caſteth his *Eye* upon the *Ground*, to look about him for ſome *ſmall* Thing loſt; the *Hounds* caſting about at a Fault in hunting; and the *Ranging* of Spaniels: and herein we take a Beginning arbitrary.

4. Another ſort of Diſcurſion is, when the *Appetite* giveth a Man his Beginning, as in the Example before, where Honour to which a Man hath Appetite, maketh him think upon the next Means of attaining it, and that again of the next, *&c.* And this the *Latines* call *Sagacitas*, and We may call *Hunting* or *Tracing*, as Dogs trace Beaſts by the Smell, and Men hunt them by their Footſteps; or as Men hunt after Riches, Place, or Knowledge.

5. There is yet another kind of Diſcurſion beginning with the Appetite to *recover* ſomething loſt, proceeding from the *preſent backward*, from Thought of the Place where we *miſs* at, to the Thought of the Place from whence we came *laſt*; and from the Thought of that, to the Thought of a Place *before*, till we have in our Mind ſome Place, wherein we had the Thing we miſs: and this is called *Reminiſcence*.

6. The *Remembrance* of Succeſſion of one Thing to another, that is, of what was *antecedent*, and what *conſequent*, and what *concomitant*, is called an *Experiment*; whether the ſame be made by us *voluntarily*, as when a Man putteth any Thing into the Fire, to ſee what Effect the Fire will produce upon it: or *not* made by us, as when we remember a fair Morning after a red Evening. To have had many *Experiments*, is that we call *Experience*, which is nothing elſe but *Remembrance* of what Antecedents have been followed by what Conſequents.

7. No Man can have in his Mind a Conception of the *future*; for the future is *not yet:* but of our Conceptions of the *paſt*, we make a *future*; or rather, call *paſt*, *future* relatively. Thus after a Man hath been accuſtomed to ſee like Antecedents to follow by like Conſequents, whenſoever he ſeeth the like come to paſs to any Thing he had ſeen before, he looks there ſhould follow it the ſame that followed then: As for Example, becauſe a Man hath often ſeen Offences followed by Puniſhment, when he ſeeth an Offence in preſent, he thinketh Puniſhment to be conſequent thereto; but conſequent unto that which is preſent, Men call future: And thus we make *Remembrance* to be the *Previſion* of Things to come, or *Expectation* or Preſumption of the future.

8. In the ſame Manner, if a Man ſeeth in preſent that which he hath ſeen before, he thinks that that which was antecedent to that which he ſaw before, is alſo antecedent to that he preſently ſeeth: As for Example, he that hath ſeen the Aſhes remain after the Fire, and now again ſeeth Aſhes, concludeth again there hath been Fire: And this is called again *Conjecture* of the paſt, or Preſumption of the Fact.

9. When a Man hath *ſo often* obſerved like Antecedents to be followed by like Conſequents, that *whenſoever* he ſeeth the Antecedent, he looketh again for the Conſequent; or when he ſeeth the Conſequent, maketh account there hath been the like Antecedent; then he calleth both the Antecedent and the Conſequent, *Signs* one of another, as Clouds are Signs of Rain to come, and Rain of Clouds paſt.

10. This taking of Signs by *Experience*, is that wherein Men do ordinarily think, the Difference ſtands between Man and Man in *Wiſdom*, by which they commonly underſtand a Man's whole Ability or *Power cognitive*; but this is an *Error:* For the Signs are but *conjectural*; and according as they have often or ſeldom failed, ſo their *Aſſurance* is more or leſs; but *never full* and *evident:* For though a Man have always ſeen the Day and Night to follow one another hitherto, yet can he not thence conclude they ſhall do ſo, or that they have done ſo eternally: *Experience concludeth nothing univerſally.* If the Signs hit twenty Times for one miſſing, a Man may lay a Wager of Twenty to One of the Event; but may not conclude it for a Truth. But by this it is plain, that they ſhall *conjecture beſt*, that have *moſt Experience*, becauſe they have moſt Signs to conjecture by; which is the Reaſon *old Men* are *more prudent*, that is, conjecture better, *cæteris paribus*, than young: for, being old, they remember more; and Experience is but Remembrance. And *Men* of *quick* Imagination, *cæteris paribus*, are more *prudent* than thoſe whoſe Imaginations are ſlow; for they obſerve *more* in *leſs* Time. Prudence is nothing but Conjecture from Experience, or taking of Signs from Experience warily, that is, that the Experiments from which he taketh ſuch Signs be all remembered; for elſe the Caſes are not alike that ſeem ſo.

11. As in Conjecture concerning Things paſt and future, it is Prudence to conclude from Experience, what is like to come to paſs, or to have paſſed already; ſo it is an Error to conclude from it, that *it is* ſo or ſo *called*; that is to ſay, we cannot from Experience conclude, that any Thing is to be called *juſt* or *unjuſt*, *true* or *falſe*, or any Propoſition *univerſal* whatſoever, except it be from Remembrance of the Uſe of Names impoſed arbitrarily by Men: For Example, to have heard a Sentence given in the like Caſe, the like Sentence a thouſand times is not enough to conclude that the Sentence is juſt; though moſt Men have no other Means to conclude by: But it is *neceſſary*, for the drawing of ſuch Concluſion, to *trace* and *find out*, by many Experiences, what Men do mean by calling Things juſt and unjuſt. Further, there is another *Caveat* to be taken in concluding by Experience, from the tenth Section of the ſecond Chapter; that is, that we conclude ſuch Things to be without, that are within us.

CHAP. V.

1. *Of Marks.*
2. *Names or Appellations.*
3. *Names poſitive and privative.*
4. *Advantage of Names maketh us capable of Science.*
5. *Names univerſal and ſingular.*
6. *Univerſals not* in Rerum Natura.
7. *Equivocal Names.*
8. *Underſtanding.*
9. *Affirmation, Negation, Propoſition.*
10. *Truth, Falſity.*
11. *Ratiocination.*
12. *According to Reaſon, againſt Reaſon.*
13. *Names Cauſes of Knowledge, ſo of Error.*
14. *Tranſlation of the Diſcourſe of the Mind into the Diſcourſe of the Tongue, and of the Errors thence proceeding.*

1. SEEING the *Succeſſion* of the Conceptions in the *Mind* are cauſed, as hath been ſaid before, by the Succeſſion they *had* one to another when they were produced by the *Senſes*, and that there is no Conception that hath not been produced immediately before or after innumerable others, by the innumerable Acts of Senſe; it muſt needs follow, that one *Conception* followeth *not* another, according to our *Election*, and the need we have of them, *but* as it *chanceth* us to hear or ſee ſuch Things as ſhall bring them to our Mind. The Experience we have hereof, is in ſuch Brute Beaſts, which, having the Providence to hide the Remains and Superfluity of their Meat, do nevertheleſs want the Remembrance of the Place where they hid it, and thereby make no Benefit thereof in their Hunger: But Man, who in this Point beginneth to rank himſelf ſomewhat above the Nature of Beaſts, hath obſerved and remembered the Cauſe of this Defect, and to amend the ſame, hath imagined or deviſed to ſet up a viſible or other ſenſible Mark, the which, when he ſeeth it again, may bring to his Mind the Thought when he ſet it up. A *Mark* then is a *ſenſible Object* which a Man erecteth voluntarily to himſelf, to the End to *remember* thereby ſomewhat paſt, when the ſame is objected to his Senſe again: As Men that have paſt by a Rock at Sea, ſet up ſome Mark, thereby to remember their former Danger, and avoid it.

2. In the Number of theſe *Marks*, are thoſe *human Voices*, which we call the *Names* or Appellations of Things ſenſible by the Ear, by which we recall into our Mind ſome Conceptions of the Things to which we gave thoſe Names or Appellations; as the Appellation *White* bringeth to Remembrance the Quality of ſuch Objects as produce that Colour or Conception in us. A *Name* or Appellation therefore is the *Voice* of a Man *arbitrary*, impoſed for a *Mark* to bring into his Mind ſome Conception concerning the Thing on which it is impoſed.

3. Things named, are either the *Objects* themſelves, as a Man; or the *Conception* itſelf that we have of Man, as Shape and Motion: or ſome Privation, which is when we conceive that there is ſomething which we conceive not, in him; as when we conceive he is not juſt, not finite, we give him the Name of unjuſt, of infinite, which ſignify Privation or Defect; and to the Privations themſelves we give the Names of Injuſtice and Infiniteneſs: So that here be *two Sorts* of Names; one of *Things*, in which we conceive ſomething; or of the Conceptions themſelves, which are called *poſitive:* the other of Things wherein we conceive *Privation* or Defect, and thoſe Names are called *privative.*

4. By the Advantage of *Names* it is that we are capable of *Science*, which Beaſts, for want of them, are not; nor Man, without the Uſe of them: For as a Beaſt miſſeth not one or two out of many her young ones, for want of thoſe Names of Order, One, Two, and Three, and which we call *Number*; ſo neither would a Man, without repeating orally or mentally the Words of Number, know how many Pieces of Money or other Things lie before him.

5. Seeing there be *many* Conceptions of *one* and the ſame Thing, and for *every* Conception we give it a *ſeveral* Name; it followeth that for one and the ſame Thing, we have many Names or Attributes; as to the ſame Man we give the Appellations of *Juſt*, *Valiant*, &c. for divers *Virtues*; of *Strong*, *Comely*, &c. for divers *Qualities* of the *Body*. And again, becauſe from divers Things we receive like Conceptions, many Things muſt needs have the ſame Appellation: as to all Things we *ſee*, we give the ſame Name of *Viſible*; and to all Things we *ſee moveable*, we give the Appellation of *Moveable*: and thoſe Names we give to *many*, are called *univerſal* to them all; as the Name of Man to every Particular of Mankind: Such Appellation as we give to *one* only Thing, we call *individual*, or ſingular; as *Socrates*, and other proper Names: or, by Circumlocution, he that writ the *Iliads*, for *Homer*.

6. The Univerſality of *one Name* to many Things, hath been the Cauſe that Men think the *Things* are themſelves univerſal; and ſo ſeriouſly contend, that beſides *Peter* and *John*, and all the reſt of the Men that are, have been, or ſhall be in the World, there is yet ſomething elſe that we call *Man*, viz. *Man in general*, deceiving themſelves, by taking the univerſal, or general Appellation, for the Thing it ſignifieth: For if one ſhould deſire the Painter to make him the Picture of a Man, which is as much as to ſay, of a Man in general; he meaneth no more, but that the Painter ſhould chuſe what Man he pleaſeth to draw, which muſt needs be ſome of them that are, or have been, or may be, none of which are *univerſal*. But when he would have him to draw the Picture of the King, or any particular Perſon, he limiteth the Painter to that one Perſon he chuſeth. It is plain therefore, that there is *nothing univerſal* but *Names*; which are therefore called *indefinite*; becauſe we limit them not ourſelves, but leave them to be applied by the Hearer: whereas a ſingular Name is limited and reſtrained to one of the many Things it ſignifieth; as when we ſay, This Man, pointing to him, or giving him his proper Name, or by ſome ſuch other Way.

7. The Appellations that be *univerſal*, and common to many Things, are *not* always given to all the *Particulars*, (as they ought to be) for like Conceptions, and like Conſiderations in them all; which is the Cauſe that many of them are *not* of *conſtant* Signification, but bring into our Mind other Thoughts than thoſe for which they were ordained, and theſe are called *equivocal*. As for Example, the Word Faith ſignifieth the ſame with Belief; ſometimes it ſignifieth particularly that Belief which maketh a Chriſtian; and ſometimes it ſignifieth the keeping of a Promiſe. Alſo all *Metaphors* are by Profeſſion *equivocal*: and there is ſcarce any Word that is not made *equivocal* by divers Contextures of Speech, or by Diverſity of Pronunciation and Geſture.

8. This *Equivocation* of Names maketh it *difficult* to recover thoſe Conceptions for which the Name was ordained; and that not only in the Language of other Men, wherein we are to conſider the *Drift* and *Occaſion*, and *Contexture* of the Speech, as well as the *Words* themſelves; but alſo in our Diſcourſe, which being derived from the Cuſtom and common Uſe of Speech, repreſenteth unto us not our own Conceptions. It is therefore a great Ability in a Man, out of the Words, Contexture, and other Circumſtances of Language, to deliver himſelf from *Equivocation*, and to find out the true Meaning of what is ſaid: and this is it we call *Underſtanding*.

9. Of two *Appellations*, by the Help of this little Verb *is*, or ſomething equivalent, we make an *Affirmation* or *Negation*, either of which in the Schools we call alſo a *Propoſition*, and conſiſteth of two Appellations joined together by the ſaid Verb *is*: As for Example, Man is a living Creature; or thus, Man is not righteous: whereof the former is called an *Affirmation*, becauſe the Appellation, Living Creature, is *Poſitive*; the latter a *Negative*, becauſe not righteous is *Privative*.

10. In *every Propoſition*, be it Affirmative or Negative, the latter Appellation either comprehendeth the former, as in this Propoſition, Charity is Virtue, the

Name of Virtue comprehendeth the Name of Charity, and many other Virtues beſide; and then is the Propoſition ſaid to be *true*, or *Truth:* for *Truth*, and a *true Propoſition*, is all one. Or *elſe* the *latter* Appellation comprehendeth *not* the former: As in this Propoſition, Every Man is juſt; the Name of Juſt comprehendeth not every Man; for Unjuſt is the Name of the far greater Part of Men: And the Propoſition is ſaid to be *falſe*, or Falſity: *Falſity* and a *falſe Propoſition* being alſo the ſame Thing.

11. In what manner of two Propoſitions, whether *both* Affirmative, or *one* Affirmative, the *other* Negative, is made a *Syllogiſm*, I forbear to write. All this that hath been ſaid of Names or Propoſitions, though *neceſſary*, is but *dry* Diſcourſe: and this Place is not for the whole Art of Logick, which if I enter further into, I ought to purſue: Beſides, it is not needful; for there be few Men which have not ſo much natural Logick, as thereby to diſcern well enough, whether any Concluſion I ſhall make in this Diſcourſe hereafter, be well or ill collected: only thus much I ſay in this Place, that *making of Syllogiſms* is that we call *Ratiocination* or *Reaſoning*.

12. Now when a Man *reaſoneth* from *Principles* that are *found* indubitable by Experience, all Deceptions of Senſe and Equivocation of Words avoided, the Concluſion he maketh is ſaid to be *according to right Reaſon:* But when from his Concluſion a Man may, by good Ratiocination, derive that which is *contradictory* to any evident Truth whatſoever, then he is ſaid to have concluded *againſt Reaſon:* and ſuch a Concluſion is called *Abſurdity*.

13. As the *Invention* of *Names* hath been *neceſſary* for the drawing Men *out of* Ignorance, by calling to their Remembrance the neceſſary *Coherence* of one Conception to another; ſo alſo hath it on the other ſide precipitated Men into *Error:* inſomuch, that whereas by the Benefit of *Words* and Ratiocination they exceed *brute Beaſts* in Knowledge, and the Commodities that accompany the ſame; ſo they exceed them alſo in *Error:* For, *true* and *falſe* are Things not incident to Beaſts, becauſe they adhere not to Propoſitions and Language; nor have they Ratiocination, whereby to multiply one Untruth by another, as Men have.

14. It is the *Nature* almoſt of every *Corporal* Thing, being *often moved* in one and the ſame manner, to receive continually a *greater* and *greater Eaſineſs* and Aptitude to the *ſame* Motion, inſomuch as in Time the ſame becometh ſo *habitual*, that, to *beget* it, there needs no more than to *begin* it. The *Paſſions* of Man, as they are the Beginning of *voluntary* Motions; ſo are they the Beginning of *Speech*, which is the Motion of the Tongue. And Men deſiring to ſhew others the Knowledge, Opinions, Conceptions and Paſſions which are in themſelves, and to that End having invented *Language*, have by that means transferred all that *Diſcurſion* of their *Mind* mentioned in the former Chapter, by the *Motion* of their *Tongues*, into *Diſcourſe* of *Words:* And *Ratio* now is but *Oratio*, for the moſt part, wherein Cuſtom hath ſo great a Power, that the Mind ſuggeſteth only the firſt Word; the reſt follow *habitually*, and are not followed by the Mind; as it is with Beggars, when they ſay their *Pater noſter*, putting together ſuch Words, and in ſuch manner, as in their Education they have learned from their Nurſes, from their Companies, or from their Teachers, having *no Images* or *Conceptions* in their Mind, anſwering to the Words they ſpeak: and as they have learned themſelves, ſo they teach Poſterity. Now if we conſider the Power of thoſe *Deceptions* of the Senſe, mentioned Chap. II. Sect. 10. and alſo how *unconſtantly* Names have been ſettled, and how ſubject they are to *Equivocation*, and how *diverſified* by *Paſſion*, (ſcarce two Men agreeing what is to be called Good, and what Evil; what Liberality, what Prodigality; what Valour, what Temerity) and how ſubject Men are to Paralogiſm or Fallacy in Reaſoning, I may in a Manner conclude, that it is impoſſible to rectify ſo many Errors of any one Man, as muſt needs proceed from thoſe Cauſes, without beginning a-new from the very firſt Grounds of all our Knowledge and Senſe; and inſtead of Books, reading over orderly ones own Conceptions: In which Meaning, I take *Noſce teipſum* for a Precept worthy the Reputation it hath gotten.

CHAP. VI.

1. *Of the two Kinds of Knowledge.*
2. *Truth and Evidence neceſſary to Knowledge.*
3. *Evidence defined.*
4. *Science defined.*
5. *Suppoſition defined.*
6. *Opinion defined.*
7. *Belief defined.*
8. *Conſcience defined.*
9. *Belief, in ſome Caſes, no leſs from Doubt than Knowledge.*

1. THERE is a Story ſomewhere, of one that pretends to have been miraculouſly cured of Blindneſs (wherewith he was born) by St. *Albane* or other Saints, at the Town of St. *Albans*; and that the Duke of *Gloceſter* being there, to be ſatisfied of the Truth of the Miracle, aſked the Man, What Colour is this? Who, by anſwering, It was Green, diſcovered himſelf, and was puniſhed for a Counterfeit: For though by his Sight newly received he might diſtinguiſh between Green, and Red, and all other Colours, as well as any that ſhould interrogate him, yet he could not poſſibly know at firſt Sight which of them was called Green, or Red, or by any other Name. By this we may underſtand, there be *two Kinds* of Knowledge, whereof the *one* is nothing elſe but *Senſe*, or Knowledge *original*, as I have ſaid in the Beginning of the ſecond Chapter, and *Remembrance* of the ſame; the *other* is called *Science* or Knowledge of the *Truth of Propoſitions*, and how Things are called; and is derived from *Underſtanding*. Both of theſe Sorts are but *Experience*; the former being the Experience of the Effects of Things that work upon us from *without*; and the latter Experience Men have from the moſt proper Uſe of *Names* in Language: and all Experience being, as I have ſaid, but Remembrance, all Knowledge is Remembrance: and of the *former*, the Regiſter we keep in Books, is called *Hiſtory*; but the Regiſters of the *latter* are called the *Sciences*.

2. There are *two Things* neceſſarily implied in this Word *Knowledge*; the one is *Truth*, the other *Evidence*: for what is not Truth, can never be known. For, let a Man ſay he knoweth a Thing never ſo well, if the ſame ſhall afterwards appear falſe, he is driven to Confeſſion, that it was not Knowledge, but Opinion. Likewiſe, if the Truth be not evident, though a Man holdeth it, yet is his Knowledge thereof no more than theirs who hold the contrary: for if Truth were enough to make it Knowledge, all Truth were known; which is not ſo.

3. What *Truth* is, hath been defined in the *precedent* Chapter; what *Evidence* is, I *now* ſet down: and it is the Concomitance of a Man's *Conception* with the *Words* that ſignify ſuch Conception in the Act of Ratiocination: for when a Man reaſoneth with his Lips only, to which the Mind ſuggeſteth only the Beginning, and followeth not the Words of his Mouth with the Conceptions of his Mind, out of Cuſtom of ſo ſpeaking; though he begin his Ratiocination with true Propoſitions, and proceed with certain Syllogiſms, and thereby make always true Concluſions; yet are not his Concluſions *evident* to him, for want of the *Concomitance* of *Conception* with his Words: for if the Words alone were ſufficient, a *Parrot* might be taught as well to know Truth, as to ſpeak it. Evidence is to Truth, as the Sap to the Tree, which, ſo far as it creepeth along with the Body and Branches, keepeth them alive; where it forſaketh them, they die: for this Evidence, which is Meaning with our Words, is the Life of Truth.

4. Knowledge therefore which we call *Science*, I define to be *Evidence of Truth*, from ſome Beginning or Principle of *Senſe*: For the Truth of a Propoſition is never evident, until we conceive the Meaning of the Words or Terms whereof it conſiſteth, which are always Conceptions of the Mind: Nor can we remember thoſe Conceptions, without the Thing that produced the ſame by our Senſes. The *firſt* Principle of Knowledge is, that we have ſuch and ſuch *Conceptions*; the *ſecond*, that we have thus and thus *named* the Things whereof they are Concep-

tions; the *third* is, that we have *joined* thoſe *Names* in ſuch manner as to make true Propoſitions; the *fourth* and laſt is, that we have *joined* thoſe *Propoſitions* in ſuch manner as they be concluding, and the Truth of the Concluſion ſaid to be known. And of theſe two kinds of Knowledge, whereof the former is *Experience of Fact*, and the latter *Evidence of Truth*; as the *former*, if it be great, is called *Prudence*; ſo the *latter*, if it be much, hath uſually been called, both by ancient and modern Writers, *Sapience* or Wiſdom: and of this *latter*, *Man* only is capable; of the *former*, *brute Beaſts* alſo participate.

5. A Propoſition is ſaid to be *ſuppoſed*, when, being *not evident*, it is nevertheleſs *admitted for a Time*, to the End, that, joining to it other Propoſitions, we may *conclude* ſomething; and *proceed* from Concluſion to Concluſion, for a *Trial* whether the ſame will lead us into any *abſurd* or impoſſible Concluſion; which if it do, then we know ſuch Suppoſition to have been falſe.

6. But if, running through *many* Concluſions, we come to *none* that are *abſurd*, then we think the Propoſition *probable*: likewiſe we think probable whatſoever Propoſition we *admit* for Truth by Error of Reaſoning, or from truſting to other Men: And all ſuch Propoſitions as are admitted by *Truſt* or Error, we are not ſaid to *know*, but to *think* them to be true; and the Admittance of them is called *Opinion*.

7. And particularly, when the Opinion is admitted out of *Truſt* to *other* Men, they are ſaid to *believe* it; and their Admittance of it is called *Belief*, and ſometimes *Faith*.

8. It is either *Science* or *Opinion* which we commonly mean by the Word *Conſcience*: for Men ſay that ſuch and ſuch a Thing is true in or upon their Conſcience; which they *never* do, when they think it *doubtful*; and therefore they *know*, or *think* they know it to be true. But Men, when they ſay Things upon their Conſcience, are not therefore preſumed certainly to know the Truth of what they ſay: It remaineth then, that that Word is uſed by them that have an *Opinion*, *not* only of the *Truth* of the Thing, *but* alſo of their *Knowledge* of it, to which the *Truth* of the Propoſition is conſequent. *Conſcience* I therefore define to be *Opinion of Evidence*.

9. *Belief*, which is the admitting of Propoſitions upon *Truſt*, in many Caſes is no leſs free from *Doubt* than perfect and manifeſt *Knowledge*: for as there is nothing whereof there is not ſome Cauſe; ſo, when there is Doubt, there muſt be ſome Cauſe thereof conceived. Now there be many Things which we receive from *Report of others*, of which it is impoſſible to imagine any Cauſe of *Doubt*: for what can be oppoſed againſt the Conſent of all Men, in Things they can know, and have no Cauſe to report otherwiſe than they are, (ſuch as is great part of our *Hiſtories*) unleſs a Man would ſay that all the World had *conſpired* to deceive him? And thus much of *Senſe*, *Imagination*, *Diſcurſion*, *Ratiocination*, and *Knowledge*, which are the Acts of our *Power cognitive*, or *conceptive*. That Power of the *Mind* which we call *motive*, differeth from the Power *motive* of the *Body*: for the Power *motive* of the *Body* is that by which it *moveth other Bodies*, and we call *Strength*; but the Power motive of the *Mind*, is that by which the Mind giveth *animal Motion* to the *Body* wherein it exiſteth: the Acts hereof are our *Affections* and *Paſſions*, of which I am to ſpeak in general.

CHAP. VII.

1. *Of Delight*, *Pain*, *Love*, *Hatred*.
2. *Appetite*, *Averſion*, *Fear*.
3. *Good*, *Evil*, *Pulchritude*, *Turpitude*.
4. *End*, *Fruition*.
5. *Profitable*, *Uſe*, *Vain*.
6. *Felicity*.
7. *Good and Evil mixt*.
8. *Senſual Delight*, *and Pain*; *Joy and Grief*.

IN the eighth Section of the ſecond Chapter is ſhewed, that *Conceptions* and *Apparitions* are nothing *really*, but *Motion* in ſome internal Subſtance of the *Head*; which Motion *not ſtopping* there, but proceeding to the *Heart*, of Neceſſity muſt there either *help* or *hinder* the Motion which is called *Vital:* When it *helpeth*, it is called *Delight*, *Contentment*, or *Pleaſure*, which is nothing really but Motion about the Heart, as Conception is nothing but Motion in the Head; and the *Objects* that cauſe it are called *pleaſant* or *delightful*, or by ſome Name equivalent: The *Latins* have *Jucundum*, *à juvando*, from helping; and the ſame Delight, with Reference to the Object, is called *Love:* but when ſuch Motion *weakeneth* or hindereth the vital Motion, then it is called *Pain*; and in relation to that which cauſeth it, Hatred; which the *Latins* expreſs ſometimes by *Odium*, and ſometimes by *Tædium*.

2. This Motion in which conſiſteth *Pleaſure* or *Pain*, is alſo a *Solicitation* or Provocation either to draw *near* to the Thing that pleaſeth, or to *retire* from the Thing that diſpleaſeth; and this Solicitation is the *Endeavour* or internal Beginning of *animal* Motion, which, when the Object *delighteth*, is called *Appetite*; when it *diſpleaſeth*, it is called *Averſion*, in reſpect of the Diſpleaſure *preſent*; but in reſpect of the Diſpleaſure *expected*, *Fear*. So that *Pleaſure*, *Love*, and *Appetite*, which is alſo called Deſire, are *divers Names* for divers Conſiderations of the *ſame Thing*.

3. Every Man, for his own Part, calleth that which *pleaſeth*, and is delightful to himſelf, *Good*; and that *Evil* which *diſpleaſeth* him: inſomuch that while every Man *differeth* from other in *Conſtitution*, they differ alſo from one another concerning the common Diſtinction of Good and Evil. Nor is there any ſuch Thing as abſolute Goodneſs, conſidered without Relation: for even the Goodneſs which we apprehend in God Almighty, is *his Goodneſs to us*. And as we call *Good* and *Evil* the *Things* that pleaſe and diſpleaſe, ſo we call *Goodneſs* and *Badneſs* the *Qualities* or Powers whereby they do it: And the Signs of that Goodneſs are called by the *Latins* in one Word *Pulchritudo*, and the Signs of Evil, *Turpitudo*, to which we have no Words preciſely anſwerable.

As all Conceptions we have immediately by the *Senſe*, are *Delight*, or *Pain*, or *Appetite*, or *Fear*; ſo are all the *Imaginations* after Senſe. But as they are weaker Imaginations, ſo are they alſo weaker Pleaſures, or weaker Pain.

4. As *Appetite* is the Beginning of *animal* Motion towards ſomething that pleaſeth us, ſo is the *attaining* thereof the *End* of that Motion, which we alſo call the *Scope*, and Aim, and final Cauſe of the ſame: and when we attain that End, the Delight we have thereby is called the *Fruition:* So that *Bonum* and *Finis* are different Names, but for different Conſiderations of the ſame Thing.

5. And of *Ends*, ſome of them are called *propinqui*, that is, near at Hand; others *remoti*, far off: but when the Ends that are nearer attaining, be compared with thoſe that be further off, they are called not Ends, but *Means*, and the *Way* to thoſe. But for an *utmoſt* End, in which the ancient *Philoſophers* have placed *Felicity*, and diſputed much concerning the Way thereto, there is no ſuch Thing in this World, nor Way to it, more than to *Utopia:* for while we live, we have Deſires, and Deſire preſuppoſeth a further End. Thoſe Things which pleaſe us, as the Way or *Means* to a further End, we call *profitable*; and the *Fruition* of them, *Uſe*; and thoſe Things that profit not, *vain*.

6. Seeing all *Delight* is *Appetite*, and preſuppoſeth a *further* End, there can be *no Contentment* but in *proceeding:* and therefore we are not to marvel, when we ſee, that as Men attain to more Riches, Honour, or other Power; ſo their Appetite continually groweth more and more; and when they are come to the utmoſt Degree of ſome Kind of Power, they purſue ſome other, as long as in any Kind they think themſelves behind any other: of thoſe therefore that have attained to the higheſt Degree of Honour and Riches, ſome have affected Maſtery in ſome Art; as *Nero* in Muſic and Poetry, *Commodus* in the Art of a Gladiator; and ſuch as affect not ſome ſuch Thing, muſt find Diverſion and Recreation of their Thoughts in the Contention either of Play or Buſineſs: and Men juſtly complain of a great Grief, that they know not what to do. *Felicity* therefore, by which we mean continual Delight, conſiſteth *not* in *having* proſpered, but in *proſpering*.

7. There are few Things in this World, but *either* have *Mixture* of Good and Evil, *or* there is a Chain of them ſo neceſſarily linked together, that the one cannot be taken without the other: As for Example, the Pleaſures of Sin, and the Bitterneſs of Puniſhment, are inſeparable; as is alſo Labour and Honour, for the moſt part. Now when in the *whole Chain*, the *greater Part* is good, the *whole* is called *Good*; and when the *Evil* overweigheth, the *whole* is called *Evil*.

8. There are two Sorts of Pleaſure, whereof the *one* ſeemeth to affect the *corporeal* Organ of the Senſe, and that I call *ſenſual*; the *greateſt* Part whereof, is that by which we are invited to give Continuance to our *Species*; and the *next*, by which a Man is invited to Meat, for the Preſervation of his *individual* Perſon: The *other Sort* of Delight is not particular to any Part of the Body, and is called the Delight of the *Mind*, and is that which we call *Joy*. Likewiſe of *Pains*, ſome affect the *Body*, and are therefore called the *Pains* of the Body; and ſome *not*, and thoſe are called *Grief*.

CHAP. VIII.

1,2. *Wherein conſiſt the Pleaſures of Senſe.*
3,4. *Of the Imagination, or Conception of Power in Man.*
5. *Honour, honourable, Worth.*
6. *Signs of Honour.*
7. *Reverence.*
8. *Paſſions.*

1. HAving in the firſt Section of the precedent Chapter preſuppoſed, that Motion and *Agitation of the Brain* which we call Conception, to be continued *to the Heart*, and there to be called *Paſſion*; I have therefore obliged myſelf, as far forth as I am able, to ſearch out and declare *from what* Conception *proceedeth* every one of thoſe *Paſſions* which we commonly take notice of: for, ſeeing the Things that pleaſe and diſpleaſe, are innumerable, and work innumerable Ways, Men have not taken notice but of a very few, which alſo are many of them without Name.

2. And firſt, we are to conſider, that of Conceptions there are *three Sorts*, whereof one is of that which is *preſent*, which is *Senſe*; another, of that which is *paſt*, which is *Remembrance*; and the third, of that which is *future*, which we call *Expectation*: all which have been manifeſtly declared in the ſecond and third Chapters; and every of theſe Conceptions is *Pleaſure* or *Pain preſent*. And firſt for the Pleaſures of the *Body* which affect the Senſe of *Touch* and *Taſte*, as far forth as they be *Organical*, their Conceptions are *Senſe*: ſo alſo is the Pleaſure of all *Exonerations* of Nature: All which Paſſions I have before named, *Senſual Pleaſures*; and their contrary, *Senſual Pains*: to which alſo may be added the Pleaſures and Diſpleaſures of *Odours*, if any of them ſhall be found Organical, which for the moſt Part they are not, as appeareth by this Experience which every Man hath, that the ſame Smells, when they ſeem to proceed from others, diſpleaſe, though they proceed from ourſelves; but when we think they proceed from ourſelves, they diſpleaſe not, though they come from others: the Diſpleaſure of this is a Conception of Hurt thereby from thoſe Odours, as being unwholſome, and is therefore a Conception of Evil to come, and not preſent. Concerning the Delight of *Hearing*, it is diverſe, and the Organ itſelf not affected thereby: *Simple Sounds* pleaſe by *Equality*, as the Sound of a Bell or Lute: inſomuch as it ſeems, an Equality continued by the Percuſſion of the Object upon the Ear, is Pleaſure; the contrary is called *Harſhneſs*, ſuch as is grating, and ſome other Sounds, which do not always affect the Body, but only ſometimes, and that with a Kind of Horror beginning at the Teeth. *Harmony*, or many Sounds together, agreeing, pleaſe by the ſame Reaſon as the *Uniſon*, which is the Sound of equal Strings equally ſtretched. Sounds

that differ in any *Height*, pleaſe by *Inequality and Equality alternate*, that is to ſay, the higher Note ſtriketh twice, for one Stroke of the other, whereby they ſtrike together every ſecond Time; as is well proved by *Galileo*, in the firſt Dialogue concerning local Motion: where he alſo ſheweth, that two Sounds differing a *fifth*, delight the Ear by an *Equality* of ſtriking *after two Inequalities*; for the higher Note ſtriketh the Ear thrice, while the other ſtrikes but twice. In like Manner he ſheweth wherein conſiſteth the Pleaſure of Concord, and the Diſpleaſure of Diſcord, in other Difference of Notes. There is yet *another* Pleaſure and Diſpleaſure of Sounds, which conſiſteth in *Conſequence of one Note after another*, *diverſified* both by *Accent* and *Meaſure*; whereof that which pleaſeth is called an *Air*; but for what Reaſon one Succeſſion in Tone and Meaſure is a more pleaſing Air than another, I confeſs I know not; but I conjecture the Reaſon to be, for that ſome of them imitate and revive ſome Paſſion which otherwiſe we take no Notice of, and the other not; for *no Air pleaſeth but for a time*, no more doth Imitation. Alſo the Pleaſures of the *Eye* conſiſt in a certain *Equality* of *Colour*: for *Light*, the moſt glorious of all Colours, is made by *equal* Operation of the Object; whereas *Colour* is *perturbed*, that is to ſay, unequal Light, as hath been ſaid, *Chap.* II. *Sect.* 8. And therefore Colours, the more Equality is in them, the more reſplendent they are: and as *Harmony* is Pleaſure to the *Ear*, which conſiſteth of *divers Sounds*; ſo perhaps may ſome Mixture of *divers Colours* be *Harmony* to the *Eye*, more than another Mixture. There is yet another Delight by the *Ear*, which happeneth only to Men of Skill in Muſic, which is of another Nature, (and not as theſe) Conception of the preſent, but rejoicing in their own Skill; of which Nature are the Paſſions of which I am to ſpeak next.

3. Conception of the *future*, is but a *Suppoſition* of the *ſame*, proceeding from *Remembrance* of what is paſt; and we ſo far *conceive* that any Thing *will be hereafter*, as we *know* there is *ſomething at the preſent* that hath Power to produce it: and that any Thing hath Power to produce another Thing hereafter, we cannot conceive, but by Remembrance that it hath produced the like heretofore. Wherefore all Conception of future, is Conception of Power able to produce ſomething. Whoſoever therefore expecteth Pleaſure to come, muſt conceive withal ſome Power in himſelf by which the ſame may be attained. And becauſe the Paſſions, whereof I am to ſpeak next, conſiſt in Conception of the future, that is to ſay, in Conception of the Power paſt, and the Act to come; before I go any further, I muſt in the next place ſpeak ſomewhat concerning this Power.

4. By this Power I mean the ſame with the Faculties of the *Body*, *Nutritive*, *Generative*, *Motive*, and of the *Mind*, *Knowledge*; and beſides theſe, ſuch *further* Power as by them is acquired, *viz. Riches*, *Place* of Authority, *Friendſhip* or *Favour*, and *good Fortune*; *which* laſt is really nothing elſe but the Favour of God Almighty. The *Contraries* of theſe are *Impotencies*, *Infirmities*, or *Defects* of the ſaid Powers reſpectively. And becauſe the Power of one Man reſiſteth and hindereth the Effects of the Power of another, *Power* ſimply is no more, but the *Exceſs* of the Power of one above that of another: for equal Powers oppoſed, deſtroy one another; and ſuch their Oppoſition is called Contention.

5. The *Signs* by which we know our own *Power*, are thoſe *Actions* which proceed from the ſame; and the Signs by which *other Men* know it, are ſuch *Actions*, *Geſture*, *Countenance* and *Speech*, as uſually ſuch Powers produce: and the *Acknowledgment* of Power is called Honour; and to honour a Man inwardly, is to conceive or acknowledge that that Man hath the Odds or Exceſs of that Power above him with whom he contendeth or compareth himſelf. And honourable are thoſe Signs for which one Man acknowledgeth Power or Exceſs above his Concurrent in another: As for Example, *Beauty* of Perſon, conſiſting in a lively Aſpect of the Countenance, and other *Signs* or *natural Heat*, are honourable, being Signs precedent of Power *generative*, and much Iſſue; as alſo, general Reputation among thoſe of the other Sex, becauſe Signs conſequent of the ſame. And Actions proceeding from *Strength of Body*, and open Force, are honourable, as Signs con-

ſequent of Power *motive*, ſuch as are Victory in Battle or Duel; *A d'avoir tuè ſon homme.* Alſo to adventure upon great Exploits and Danger, as being a Sign conſequent of Opinion of our own Strength, and that Opinion a Sign of the Strength itſelf. And to teach or perſuade are honourable, becauſe they are Signs of *Knowledge.* And Riches are honourable; as Signs of the Power that acquired them: And Gifts, Coſt, and Magnificence of Houſes, Apparel, and the like, are honourable, as Signs of Riches. And *Nobility* is honourable by Reflexion, as a Sign of Power in the Anceſtors: And *Authority*, becauſe a Sign of the Strength, Wiſdom, Favour or Riches by which it is attained. And *good Fortune* or caſual Proſperity is honourable, becauſe a Sign of the Favour of God, to whom is to be aſcribed all that cometh to us by Fortune, no leſs than that we attain unto by Induſtry. And the Contraries and Defects of theſe Signs are diſhonourable; and according to the Signs of Honour and Diſhonour, ſo we eſtimate and make the Value or Worth of a Man: for ſo much worth is every Thing, as a Man will give for the Uſe of all it can do.

6. The *Signs* of *Honour* are thoſe by which we perceive that one Man acknowledgeth the Power and Worth of another; ſuch as theſe, to *praiſe*, *magnify*, to *bleſs*, to call happy, to pray or ſupplicate to, to thank, to offer unto or preſent, to obey, to hearken unto with Attention, to ſpeak to with Conſideration, to approach unto in a decent Manner, to keep Diſtance from, to give way to, and the like, which are the Honour the Inferior giveth to the Superior.

But the *Signs* of *Honour* from the Superior to the Inferior, are ſuch as theſe; to *praiſe* or prefer him before his Concurrent, to hear more willingly, to ſpeak to him more familiarly, to admit him nearer, to employ him rather, to aſk his Advice rather, to take his Opinions, and to give him *any Gifts rather than Money*; or if Money, ſo much as may *not* imply his *Need* of a *little*: for Need of a little is greater Poverty than Need of much. And this is enough for Examples of the Signs of Honour and Power.

7. *Reverence* is the Conception we have concerning another, that he hath the *Power* to do unto us both *Good* and *Hurt*, but *not* the *Will* to do us *Hurt*.

8. In the Pleaſure Men have, or Diſpleaſure from the Signs of Honour or Diſhonour done unto them, conſiſteth the Nature of the Paſſions, whereof we are to ſpeak in the next Chapter.

CHAP IX.

1. *Glory aſpiring, falſe Glory, Vain Glory.*
2. *Humility and Dejection.*
3. *Shame.*
4. *Courage.*
5. *Anger.*
6. *Revengefulneſs.*
7. *Repentance.*
8. *Hope, Deſpair, Diffidence.*
9. *Truſt.*
10. *Pity and Hardneſs of Heart.*
11. *Indignation.*
12. *Emulation and Envy.*
13. *Laughter.*
14. *Weeping.*
15. *Luſt.*
16. *Love.*
17. *Charity.*
18. *Admiration and Curioſity.*
19. *Of the Paſſion of them that flock to ſee Danger.*
20. *Of Magnanimity and Puſillanimity.*
21. *A View of the Paſſions repreſented in a Race.*

GLORY, or internal Gloriation or Triumph of the Mind, is the Paſſion which proceedeth from the Imagination or Conception of our *own Power* above the Power of him that contendeth with us; the *Signs* whereof, beſides thoſe in the Countenance and other Geſtures of the Body which cannot be deſcribed, are, *Oſtentation* in Words, and *Inſolency* in Actions: and this Paſſion, of them whom it diſpleaſeth, is called *Pride*; by them whom it pleaſeth, it is termed a *juſt Valuation* of himſelf. This Imagination of our Power or Worth, may be from an aſſured and certain *Experience* of our own Actions; and then is that Glory *juſt*, and well-grounded, and begetteth an Opinion of *increaſing* the ſame by other Actions to follow; in which conſiſteth the Appetite which we call *aſpiring*, or proceeding from one Degree of Power to another. The ſame Paſſion may proceed *not* from any *Conſcience* of our own Actions, but from Fame and Truſt of *others*, whereby one may think well of himſelf, and yet be deceived; and this is *falſe Glory*, and the Aſpiring conſequent thereto procureth ill Succeſs. Further, the *Fiction* (which is alſo Imagination) of Actions done by ourſelves, which never were done, is *Glorifying*; but becauſe it begetteth no Appetite nor Endeavour to any further Attempt, it is meerly *vain* and unprofitable; as when a Man imagineth himſelf to do the Actions whereof he readeth in ſome *Romance*, or to be like unto ſome other Man whoſe Acts he admireth: And this is called *Vain Glory*; and is exemplified in the Fable, by the Fly ſitting on the Axle-tree, and ſaying to himſelf, What a Duſt do I make riſe? The Expreſſion of *Vain Glory* is that Wiſh, which ſome of the Schools miſtaking for ſome Appetite diſtinct from all the reſt, have called *Velleity*, making a new Word, as they made a new Paſſion which was not before. *Signs* of *Vain Glory* in the *Geſture*, are *Imitation* of others, counterfeiting and uſurping the Signs of Virtue they have not; Affectation of Faſhions, Captation of Honour from their Dreams, and other little Stories of themſelves, from their Country, from their Names, and from the like.

2. The Paſſion *contrary to Glory*, proceeding from Apprehenſion of our own Infirmity, is called *Humility* by thoſe by whom it is approved; by the reſt, *Dejection* and Poorneſs: which Conception may be well or ill grounded; if well, it produceth Fear to attempt any Thing raſhly; if ill, it utterly cows a Man, that he neither dares ſpeak publicly, nor expect good Succeſs in any Action.

3. It happeneth ſometimes, that he that hath a *good* Opinion of himſelf, and upon good Ground, may nevertheleſs, by Reaſon of the *Frowardneſs* which that Paſſion begetteth, diſcover in himſelf ſome *Defect* or Infirmity, the Remembrance whereof dejecteth him; and this Paſſion is called *Shame*; by which being cooled and checked in his Forwardneſs, he is more wary for the Time to come. This Paſſion, as it is a Sign of *Infirmity*, which is *Diſhonour*; ſo alſo it is a Sign of *Knowledge*, which is *Honour*. The Sign of it is *bluſhing*, which appeareth leſs in Men conſcious of their own Defect, becauſe they leſs betray the Infirmities they acknowledge.

4. *Courage*, in a *large* Signification, is the *Abſence* of Fear in the Preſence of any Evil whatſoever: but in a *ſtrict* and more common Meaning, it is *Contempt* of *Wounds* and *Death*, when they oppoſe a Man in the Way to his End.

5. *Anger* or ſudden Courage is nothing but the *Appetite* or Deſire of *overcoming preſent* Oppoſition. It hath been defined commonly to be Grief proceeding from an Opinion of Contempt; which is confuted by the often Experience which we have of being moved to Anger by Things inanimate, and without Senſe, and conſequently incapable of contemning us.

6. *Revengefulneſs* is that Paſſion which ariſeth from an Expectation or *Imagination* of *making* him that hath *hurt* us, *find* his *own Action hurtful* to himſelf, and to *acknowledge* the ſame; and this is the Height of Revenge: for though it be not hard, by returning Evil for Evil, to make ones Adverſary diſpleaſed with his own Fact; yet to make him acknowledge the ſame, is ſo difficult, that many a Man had rather die than do it. Revenge aimeth not at the Death, but at the Captivity or Subjection of an Enemy; which was well expreſſed in the Exclamation of *Tiberius Cæſar*, concerning one, that, to fruſtrate his Revenge, had killed himſelf in Priſon; *Hath he eſcaped me?* To *kill*, is the Aim of them that *hate*, to *rid* themſelves out of Fear: *Revenge* aimeth at *Triumph*, which over the Dead is not.

7. *Repentance* is the Paſſion which proceedeth from *Opinion* or Knowledge that the *Action* they have done is *out of the Way* to the *End* they would attain: the Effect whereof is, to purſue that Way no longer, but, by the Conſideration of the End, to direct themſelves into a better. The firſt Motion therefore in this Paſſion is *Grief*; but the Expectation or Conception of returning again into the Way, is *Joy*; and conſequently, the Paſſion of *Repentance* is compounded and allayed of both: but the *predominant* is *Joy*; elſe were the whole Grief, which cannot be, foraſmuch as he that proceedeth towards the End, he conceiveth Good, proceedeth with Appetite; and Appetite is Joy, as hath beed ſaid, Chap. VII. Sect. 2.

8. *Hope* is *Expectation* of *Good* to come, as Fear is the Expectation of Evil: But when there be Cauſes, ſome that make us expect Good, and ſome that make us expect Evil, alternately working in our Mind; if the Cauſes that make us expect Good, be greater than thoſe that make us expect Evil, the whole Paſſion is Hope; if contrarily, the whole is Fear. Abſolute *Privation* of Hope is *Deſpair*, a Degree whereof is *Diffidence*.

9. *Truſt* is a Paſſion proceeding from the *Belief of him* from whom we *expect* or *hope* for Good, ſo *free* from *Doubt* that upon the ſame we purſue no other Way to attain the ſame Good: as *Diſtruſt* or Diffidence is *Doubt* that maketh him endeavour to provide himſelf by other Means. And that this is the Meaning of the Words Truſt and Diſtruſt, is manifeſt from this, that a Man never provideth himſelf by a ſecond Way, but when he miſtruſteth that the firſt will not hold.

10. *Pity* is *Imagination* or *Fiction* of *future* Calamity to *ourſelves*, proceeding from the Senſe of *another* Man's Calamity. But when it lighteth on ſuch as we think have not deſerved the ſame, the Compaſſion is greater, becauſe then there appeareth more Probability that the ſame may happen to us: for, the Evil that happeneth to an innocent Man, may happen to every Man. But when we ſee a Man ſuffer for great Crimes, which we cannot eaſily think will fall upon ourſelves, the Pity is the leſs. And therefore Men are apt to pity thoſe whom they love: for, whom they love, they think worthy of Good, and therefore not worthy of Calamity. Thence it is alſo, that Men pity the Vices of ſome Perſons at the firſt Sight only, out of Love to their Aſpect. The contrary of Pity is *Hardneſs of Heart*, proceeding either from *Slowneſs* of Imagination, or ſome extreme great *Opinion* of their own *Exemption* from the like Calamity, or from Hatred of all or moſt Men.

11. *Indignation* is that *Grief* which conſiſteth in the Conception of *good Succeſs* happening to them whom they think *unworthy* thereof. Seeing therefore Men think all thoſe unworthy whom they hate, they think them not only unworthy of the good Fortune they have, but alſo of their own Virtues. And of all the Paſſions of the Mind, theſe two, Indignation and Pity, are moſt raiſed and increaſed by Eloquence: for, the *Aggravation* of *the Calamity*, and *Extenuation* of the *Fault*, augmenteth *Pity*; and the *Extenuation* of the *Worth* of the Perſon, together with the magnifying of his Succeſs, which are the Parts of an Orator, are able to turn theſe two Paſſions into *Fury*.

12. *Emulation* is *Grief* ariſing from ſeeing *ones ſelf exceeded* or excelled by his *Concurrent*, together with *Hope* to *equal* or exceed him in time to come, by his own Ability. But, *Envy* is the ſame *Grief* joined with *Pleaſure* conceived in the Imagination of ſome *ill* Fortune that may befall him.

13. There is a Paſſion that hath *no Name*; but the Sign of it is that Diſtortion of the Countenance which we call *Laughter*, which is always *Joy*: but what Joy, what we think, and wherein we triumph when we laugh, is not hitherto declared by any. That it conſiſteth in *Wit*, or as they call it, in the *Jeſt*, Experience *confuteth*: for Men laugh at Miſchances and Indecencies, wherein there lieth no Wit nor Jeſt at all. And foraſmuch as the ſame Thing is no more ridiculous when it groweth ſtale or uſual, whatſoever it be that moveth Laughter, it muſt be *new* and *unexpected*. Men laugh often (eſpecially ſuch as are greedy of Applauſe from every Thing they do well) at their *own* Actions performed never ſo little beyond their own Expectations; as alſo at their own *Jeſts*: and in this Caſe it is manifeſt, that

the Paſſion of Laughter proceedeth from a *ſudden Conception* of ſome *Ability* in himſelf that laugheth. Alſo Men laugh at the *Infirmities* of others, by Compariſon wherewith their own Abilities are ſet off and illuſtrated. Alſo Men laugh at *Jeſts*, the *Wit whereof* always conſiſteth in the elegant *diſcovering* and conveying to our Minds ſome *Abſurdity* of *another*: And in this Caſe alſo the Paſſion of Laughter proceedeth from the *ſudden* Imagination of our own Odds and Eminency: for what is elſe the recommending of ourſelves to our own good Opinion, by Compariſon with another Man's Infirmity or Abſurdity? For when a Jeſt is broken upon ourſelves, or Friends of whoſe Diſhonour we participate, we never laugh thereat. I may therefore conclude, that the Paſſion of Laughter is nothing elſe but *ſudden Glory* ariſing from a ſudden *Conception* of ſome *Eminency* in ourſelves, by *Compariſon* with the *Infirmity* of others, or with our own formerly: for Men laugh at the Follies of themſelves paſt, when they come ſuddenly to Remembrance, except they bring with them any preſent Diſhonour. It is no Wonder therefore that Men take heniouſly to be laughed at or derided, that is, triumphed over. Laughing *without Offence*, muſt be at *Abſurdities* and Infirmities *abſtracted* from Perſons, and when all the Company may laugh together: for, laughing to ones ſelf putteth all the reſt into Jealouſy, and Examination of themſelves. Beſides, it is Vain Glory, and an Argument of little Worth, to think the Infirmity of another ſufficient Matter for his Triumph.

14. The Paſſion oppoſite hereunto, (whoſe Signs are another Diſtortion of the Face with Tears) called *Weeping*, is the *ſudden falling out with* ourſelves, or ſudden Conception of Defect; and therefore *Children* weep: for ſeeing they think that every Thing ought to be given them which they deſire, of Neceſſity every Repulſe muſt be a Check of their Expectation, and puts them in mind of their too much Weakneſs to make themſelves Maſters of all they look for. For the ſame Cauſe *Women* are more apt to weep than Men, as being not only more accuſtomed to have their Wills, but alſo to meaſure their Powers by the Power and Love of others that protect them. Men are apt to weep that proſecute Revenge, when the Revenge is ſuddenly ſtopt or fruſtrated by the Repentance of their Adverſary; and ſuch are the Tears of *Reconciliation*. Alſo revengeful Men are ſubject to this Paſſion upon the beholding thoſe Men they pity, and ſuddenly remember they cannot help. Other weeping in Men proceedeth for the moſt part from the Cauſe it proceedeth from in Women and Children.

15. The Appetite which Men call *Luſt*, and the Fruition that appertaineth thereunto, is a *Senſual* Pleaſure, but *not only* that; there is in it alſo a Delight of the Mind: for it conſiſteth of two Appetites together, to *pleaſe*, and to *be pleaſed*; and the Delight Men take in delighting, is not ſenſual, but a Pleaſure or Joy of the Mind conſiſting in the Imagination of the Power they have ſo much to pleaſe. But the Name *Luſt* is uſed where it is condemned; otherwiſe it is called by the general Word *Love*: for the Paſſion is one and the ſame indefinite Deſire of different Sex, as natural as Hunger.

16. Of *Love*, by which is underſtood the Joy Man taketh in the Fruition of any *preſent* Good, hath been already ſpoken of in the firſt Section, Chap. VII. under which is contained the *Love* Men bear to one *another*, or Pleaſure they take in one another's Company; and by which Nature, Men are ſaid to be ſociable. But there is another Kind of Love, which the Greeks call Ἔρως, and is that which we mean, when we ſay that a Man is in Love: Foraſmuch as this Paſſion cannot be without Diverſity of Sex, it cannot be denied but that it *participateth* of that indefinite *Love* mentioned in the former Section. But there is a great Difference betwixt the Deſire of a Man *indefinite*, and the ſame Deſire *limited ad hunc*; and this is that *Love* which is the great Theme of Poets: But notwithſtanding their Praiſes, it muſt be defined by the Word *Need*: for it is a Conception a Man hath of his Need of *that one Perſon* deſired. The Cauſe of this Paſſion is *not* always, *nor* for the moſt part *Beauty*, or other Quality in the beloved, unleſs there be withal *Hope* in the Perſon that loveth: which may be gathered from this, that in great Difference

of Perſons, the *greater* have often fallen in Love with the *meaner*; but not contrary. And from hence it is, that for the moſt part they have much better Fortune in Love whoſe Hopes are built upon ſomething *in their Perſon*, than thoſe that truſt to their *Expreſſions* and *Service*; and they that *care leſs*, than they that *care more*: which not perceiving, many Men caſt away their Services, as one Arrow after another, till, in the End, together with their Hopes, they loſe their Wits.

17. There is yet another Paſſion ſometimes called *Love*, but more properly *Good-will* or *Charity*. There can be no greater Argument to a Man, of his own Power, than to find himſelf able not only to accompliſh his own Deſires, but alſo to *aſſiſt* other Men in theirs: and this is that Conception wherein conſiſteth *Charity*. In which, firſt, is contained that *natural Affection* of Parents to their Children, which the *Greeks* call Στοργὴ, as *alſo*, that Affection wherewith Men ſeek to *aſſiſt* thoſe that adhere unto them. But the Affection wherewith Men many times beſtow their Benefits on *Strangers*, is not to be called Charity, but either *Contract*, whereby they ſeek to purchaſe Friendſhip; or *Fear*, which maketh them to purchaſe Peace. The Opinion of *Plato* concerning honourable Love, delivered according to his Cuſtom in the Perſon of *Socrates*, in the Dialogue intituled *Convivium*, is this, That a Man full and pregnant with Wiſdom and other Virtues, naturally ſeeketh out ſome beautiful Perſon, of Age and Capacity to conceive, in whom he may, without ſenſual Reſpects, ingender and produce the like. And this is the *Idea* of the then noted *Love* of *Socrates* wiſe and continent, to *Alcibiades* young and beautiful: In which, Love is not the ſought Honour, but the Iſſue of his Knowledge; contrary to the common Love, to which though Iſſue ſometimes follows, yet Men ſeek not that, but to pleaſe, and to be pleaſed. It ſhould be therefore this Charity, or Deſire to aſſiſt and advance others. But why then ſhould the wiſe ſeek the ignorant, or be more charitable to the beautiful than to others? There is ſomething in it ſavouring of the Uſe of that time: in which Matter though *Socrates* be acknowledged for continent, yet the *Continent* have the Paſſion they *contain*, as *much* and more than they that *ſatiate* the Appetite; which maketh me ſuſpect this *Platonic* Love for meerly ſenſual; but with an honourable Pretence for the old to haunt the Company of the young and beautiful.

18. Foraſmuch as all *Knowledge* beginneth from *Experience*, therefore alſo *new Experience* is the Beginning of *new Knowledge*, and the Increaſe of Experience, the Beginning of the Increaſe of Knowledge. Whatſoever therefore happeneth new to a Man, giveth him Matter of *Hope* of *knowing* ſomewhat that he knew *not before*. And this Hope and Expectation of future Knowledge from any thing that happeneth new and ſtrange, is that Paſſion which we commonly call *Admiration*; and the ſame conſidered as Appetite, is called *Curioſity*, which is Appetite of Knowledge. As in the diſcerning of Faculties, *Man leaveth* all Community with *Beaſts* at the Faculty of *impoſing Names*; ſo alſo doth he ſurmount their Nature at this *Paſſion* of *Curioſity*. For when a Beaſt ſeeth any thing new and ſtrange to him, he conſidereth it ſo far only as to diſcern whether it be likely to ſerve his Turn, or hurt him, and accordingly approacheth nearer to it, or fleeth from it: Whereas Man, who in moſt Events remembereth in what manner they were cauſed and begun, looketh for the Cauſe and Beginning of every Thing that ariſeth new unto him. And from this Paſſion of Admiration and Curioſity, have ariſen not only the Invention of Names, but alſo Suppoſition of ſuch Cauſes of all Things as they thought might produce them. And from this Beginning is derived all *Philoſophy*; as *Aſtronomy* from the Admiration of the Courſe of Heaven; *Natural Philoſophy* from the ſtrange Effects of the Elements and other Bodies. And from the Degrees of Curioſity, proceed alſo the Degrees of Knowledge amongſt Men: For, to a Man in the Chace of Riches or Authority, (which in reſpect of Knowledge are but Senſuality) it is a Diverſity of little Pleaſure, whether it be the Motion of the Sun or the Earth that maketh the Day, or to enter into other Contemplations of any ſtrange Accident, otherwiſe than whether it conduce or not to the End he purſueth. Becauſe

Curioſity is *Delight*, therefore alſo *Novelty* is ſo, but eſpecially that Novelty from which a Man conceiveth an *Opinion* true or falſe of *bettering* his own Eſtate; for, in ſuch Caſe, they ſtand affected with the Hope that all Gameſters have while the Cards are ſhuffling.

19. Divers other Paſſions there be, but they want Names: whereof ſome nevertheleſs have been by moſt Men obſerved: for Example; from what Paſſion proceedeth it, that Men take *pleaſure* to *behold* from the Shore the *Danger* of them that are at Sea in a Tempeſt, or in Fight, or from a ſafe Caſtle to behold two Armies charge one another in the Field? It is certainly, in the whole Sum, *Joy*; elſe Men would never flock to ſuch a Spectacle. Nevertheleſs there is in it both *Joy* and *Grief*: for as there is Novelty and Remembrance of our own Security preſent, which is *Delight*: ſo there is alſo *Pity*, which is *Grief*: But the Delight is ſo far predominant, that Men uſually are content in ſuch a Caſe to be Spectators of the Miſery of their Friends.

20. *Magnanimity* is no more than *Glory*, of the which I have ſpoken in the firſt Section; but *Glory well grounded* upon certain Experience of a Power ſufficient to attain his End in open Manner. And *Puſillanimity* is the *Doubt* of that. Whatſoever therefore is a Sign of *Vain Glory*, the ſame is alſo a Sign of *Puſillanimity*: for ſufficient Power maketh Glory a Spur to one's End. To be *pleaſed* or *diſpleaſed* with *Fame true* or *falſe*, is a *Sign* of the ſame, becauſe he that relieth on Fame hath not his Succeſs in his own Power. Likewiſe *Art* and *Fallacy* are Signs of Puſillanimity, becauſe they depend not upon our own Power, but the Ignorance of others. Alſo *Proneneſs* to *Anger*, becauſe it argueth Difficulty of proceeding. Alſo *Oſtentation* of *Anceſtors*, becauſe all Men are more inclined to make ſhew of their own Power when they have it, than of others. To be at *Enmity* and Contention with *Inferiors*, is a Sign of the ſame, becauſe it proceedeth from Want of Power to end the War. To *laugh* at others, becauſe it is an Affectation of Glory from other Men's Infirmities, and not from any Ability of their own. Alſo *Irreſolution*, which proceedeth from want of Power enough to contemn the little Difficulties that make Deliberations hard.

21. The Compariſon of the Life of Man to a Race, though it hold not in every Part, yet it holdeth ſo well for this our Purpoſe, that we may thereby both ſee and remember almoſt all the Paſſions before mentioned. But this *Race* we muſt ſuppoſe to have no other *Goal*, nor other *Garland*, but being foremoſt and in it.

To endeavour, is *Appetite*,
To be remiſs, is *Senſuality*.
To conſider them behind, is *Glory*.
To conſider them before, is *Humility*.
To loſe Ground with looking back, *Vain Glory*.
To be holden, *Hatred*.
To turn back, *Repentance*.
To be in Breath, *Hope*.
To be weary, *Deſpair*.
To endeavour to overtake the next, *Emulation*.
To ſupplant or overthrow, *Envy*.
To reſolve to break through a Stop foreſeen, *Courage*.
To break through a ſudden Stop, *Anger*.
To break through with Eaſe, *Magnanimity*,
To loſe Ground by little Hindrances, *Puſillanimity*.
To fall on the ſudden, is Diſpoſition to *weep*.
To ſee another fall, is Diſpoſition to *laugh*.
To ſee one out-gone whom we would not, is *Pity*.
To ſee one out-go whom we would not, is *Indignation*.
To hold faſt by another, is to *love*.
To carry him on that ſo holdeth, is *Charity*.
To hurt ones ſelf for Haſte, is *Shame*.
Continually to be out-gone is *Miſery*.
Continually to out-go the next before, is *Felicity*.
And to forſake the Courſe, is to *die*.

CHAP. X.

1. HAving ſhewed in the precedent Chapters, that Senſe proceedeth from the Action of external Objects upon the *Brain*, or ſome internal *Subſtance* of the *Head*; and that the *Paſſions* proceed from the Alteration there made, and continued to the *Heart*: It is conſequent in the next place, ſeeing the Diverſity of Degrees in Knowledge in divers Men, to be greater than may be aſcribed to the divers *Tempers* of their Brain, to declare *what other Cauſes* may produce ſuch *Odds*, and Exceſs of *Capacity*, as we daily obſerve in one Man above another. As for that Difference which ariſeth from *Sickneſs*, and ſuch accidental Diſtempers, I omit the ſame, as impertinent to this Place, and conſider it only in ſuch as have their *Health*, and *Organs* well-diſpoſed. If the Difference were in the natural Temper of the Brain, I can imagine no Reaſon why the ſame ſhould not appear firſt and moſt of all in the Senſes, which being equal both in the wiſe and leſs wiſe, infer an equal Temper in the common Organ (namely the Brain) of all the Senſes.

2. But we ſee by Experience, that *Joy* and *Grief* proceed *not* in *all* Men from the *ſame Cauſes*, and that Men differ very much in the Conſtitution of the Body; whereby, that which helpeth and furthereth *vital Conſtitution* in one, and is therefore delightful, hindereth it and croſſeth it in another, and therefore cauſeth Grief. The *Difference* therefore of *Wits* hath its Original *from* the *different Paſſions*, and from the *Ends* to which the Appetite leadeth them.

3. And firſt, thoſe Men whoſe Ends are *ſenſual* Delight, and generally are addicted to *Eaſe*, *Food*, *Onerations* and *Exonerations* of the Body, muſt needs be the *leſs* thereby delighted with thoſe *Imaginations* that *conduce not* to thoſe Ends, ſuch as are Imaginations of *Honour* and *Glory*, which, as I have ſaid before, have Reſpect to the future: For Senſuality conſiſteth in the Pleaſure of the Senſes, which pleaſe only for the preſent, and take away the Inclination to obſerve ſuch Things as conduce to Honour, and conſequently maketh Men leſs curious, and leſs ambitious, whereby they leſs conſider the Way either to Knowledge or other Power: in which two conſiſteth all the Excellency of Power cognitive. And this is it which Men call *Dulneſs*, and proceedeth from the Appetite of ſenſual or bodily Delight. And it may well be conjectured, that ſuch Paſſion hath its Beginning from a *Groſſneſs* and *Difficulty* of the *Motion* of the *Spirit* about the *Heart*.

4. The contrary hereunto, is that *quick Ranging* of Mind, deſcribed Chap. IV. Sect. 3. which is joined with *Curioſity* of comparing the Things that come into the Mind, one with another: in which Compariſon, a Man delighteth himſelf either with finding unexpected *Similitude* of Things, otherwiſe much unlike, in which Men place the Excellency of *Fancy*, and from whence proceed thoſe grateful Similies, Metaphors, and other Tropes, by which both *Poets* and *Orators* have it in their Power to make Things pleaſe and diſpleaſe, and ſhew well or ill to others, as they like themſelves; or elſe in diſcerning ſuddenly *Diſſimilitude* in Things that otherwiſe appear the ſame. And this Virtue of the Mind is that by which Men attain to exact and perfect *Knowledge*; and the Pleaſure thereof conſiſteth in continual Inſtruction, and in Diſtinction of Places, Perſons, and Seaſons, and is commonly termed by the Name of *Judgment*: for, to judge is nothing elſe, but to diſtinguiſh or diſcern: And both *Fancy* and *Judgment* are commonly comprehended under the Name of *Wit*, which ſeemeth to be a Tenuity and Agility of Spirits, contrary to that Reſtineſs of the Spirits ſuppoſed in thoſe that are dull.

5. There is another Defect of the Mind, which Men call *Levity*, which betrayeth alſo *Mobility* in the Spirits, but in Exceſs. An Example whereof is in them that in the midſt of any ſerious Diſcourſe, have their Minds diverted to every little Jeſt or witty Obſervation; which maketh them depart from their Diſcourſe by a Parentheſis, and from that Parentheſis by another, till at length

they either loſe themſelves, or make their Narration like a Dream, or ſome ſtudied Nonſenſe. The Paſſion from whence this proceedeth, is *Curioſity*, but with *too much Equality* and Indifference: for when all Things make equal Impreſſion and Delight, they equally throng to be expreſſed.

6. The Virtue oppoſite to this Defect, is *Gravity*, or Steadineſs; in which the End being the great and Maſter-Delight, directeth and keepeth in the Way thereto all other Thoughts.

7. The *Extremity* of Dulneſs is that *natural Folly* which may be called *Stolidity:* But the Extreme of *Levity*, though it be natural Folly diſtinct from the other, and obvious to every Man's Obſervation, I know *not* how to call it.

8. There is a Fault of the Mind called by the *Greeks* 'Αμαϑία, which is *Indocibility*, or *Difficulty* of being taught; the which muſt needs ariſe from a *falſe Opinion* that they *know already* the Truth of that is called in queſtion: for certainly Men are not otherwiſe ſo unequal in Capacity, as the *Evidence* is unequal between what is taught by the Mathematicians, and what is commonly diſcourſed of in other Books: and therefore if the Minds of Men were all of white Paper, they would all moſt equally be diſpoſed to acknowledge whatſoever ſhould be in right Method, and by right Ratiocination delivered to them: But when Men have once acquieſced in untrue Opinions, and regiſtered them as authentical Records in their Minds, it is no leſs impoſſible to ſpeak intelligibly to ſuch Men, than to write legibly upon a Paper already ſcribled over. The immediate *Cauſe* therefore of *Indocibility*, is *Prejudice*; and of Prejudice, falſe Opinion of our own Knowledge.

9. Another, and a principal Defect of the Mind, is that which Men call *Madneſs*, which appeareth to be nothing elſe but ſome *Imagination* of ſome ſuch *Predominancy* above the *reſt*, that we have *no Paſſion but from it*; and this Conception is nothing elſe but exceſſive *Vain Glory*, or *vain Dejection:* which is moſt probable by theſe Examples following, which proceed in Appearance every one of them from *Pride*, or ſome *Dejection* of Mind. As firſt, we have had the Example of one that preached in *Cheapſide* from a Cart there, inſtead of a Pulpit, that he himſelf was Chriſt, which was *ſpiritual* Pride or Madneſs. We have had alſo divers Examples of learned Madneſs, in which Men have manifeſtly been diſtracted upon any Occaſion that hath put them in Remembrance of their own Ability. Amongſt the learned Men, may be remembered (I think alſo) thoſe that determine of the Time of the World's End, and other ſuch the Points of Prophecy. And the gallant Madneſs of *Don Quixote* is nothing elſe but an Expreſſion of ſuch Height of Vain Glory, as reading of *Romance* may produce in puſillanimous Men. Alſo Rage and Madneſs of Love, are but great Indignations of them in whoſe Brains is predominant Contempt from their Enemies, or their Miſtreſſes. And the *Pride* taken in *Form* and *Behaviour*, had made divers Men run mad, and to be ſo accounted, under the Name of Fantaſtic.

10. And as theſe are the Examples of Extremities, ſo alſo are there Examples too many of the Degrees, which may therefore be well accounted Follies; as it is a Degree of the *firſt*, for a Man, without certain Evidence, to think himſelf to be *inſpired*, or to have any other Effect of God's Holy Spirit than other godly Men have. Of the *ſecond*, for a Man continually to ſpeak his Mind in a *Cento* of other Mens *Greek* or *Latin* Sentences. Of the *third*, much of the preſent Gallantry in Love and Duel. Of *Rage*, a Degree is *Malice*; and of *fantaſtic* Madneſs, *Affectation*.

11. As the former Examples exhibit to us Madneſs, and the Degrees thereof, proceeding from the Exceſs of Self-Opinion; ſo alſo there be other Examples of Madneſs, and the Degrees thereof, proceeding from *too much vain Fear* and *Dejection*; as in thoſe melancholy Men that have imagined themſelves brittle as Glaſs, or have had ſome other like Imagination: and Degrees hereof are all thoſe exorbitant and cauſleſs Fears, which we commonly obſerve in melancholy Perſons.

CHAP.

CHAP. XI.

1. HItherto of the Knowledge of Things *natural*, and of the Paſſions that ariſe naturally from them. Now foraſmuch as we give Names not only to Things natural, but alſo to *ſupernatural*; and by all Names we ought to have ſome Meaning and Conception: It followeth in the next Place, to conſider what Thoughts and Imaginations of the Mind we have, when we take into our Mouths the moſt bleſſed Name of GOD, and the Names of thoſe Virtues we attribute unto him; as alſo, what *Image* cometh into the Mind at hearing the Name of *Spirit*, or the Name of *Angel*, good or bad.

2. And foraſmuch as God Almighty is *incomprehenſible*, it followeth, that we can have *no* Conception or *Image* of the *Deity*; and conſequently, all *his Attributes* ſignify our *Inability* and Defect of Power to *conceive* any thing concerning his Nature, and not any Conception of the ſame, excepting only this, That *there is a God*: For the Effects we acknowledge naturally, do include a Power of their producing, before they were produced; and that Power preſuppoſeth ſomething exiſtent that hath ſuch Power: And the Thing ſo exiſting with Power to produce, if it were not eternal, muſt needs have been produced by ſomewhat before it, and that again by ſomething elſe before that, till we come to an eternal (that is to ſay, the firſt) Power of all Powers, and firſt Cauſe of all Cauſes: And this is it which all Men conceive by the Name of GOD, implying Eternity, Incomprehenſibility, and Omnipotency. And thus all that will conſider, may know *that* God is, though not *what* he is: even a Man that is born blind, though it be not poſſible for him to have any Imagination what kind of thing Fire is; yet he cannot but know that ſomething there is that Men call Fire, becauſe it warmeth him.

3. And whereas we attribute to God Almighty, *Seeing*, *Hearing*, *Speaking*, *Knowing*, *Loving*, and the like, by which Names we underſtand ſomething in *Men* to whom we attribute them, we underſtand *nothing* by them in the Nature of God: For, as it is well reaſoned, *Shall not the God that made the Eye, ſee; and the Ear, hear?* So it is alſo, if we ſay, Shall God, which made the Eye, not ſee without the Eye; or that made the Ear, not hear without the Ear; or that made the Brain, not know without the Brain; or that made the Heart, not love without the Heart? The *Attributes* therefore given unto the *Deity*, are ſuch as *ſignify* either *our Incapacity* or our *Reverence:* Our Incapacity, when we ſay Incomprehenſible and Infinite; our Reverence, when we give him thoſe Names, which amongſt us are the Names of thoſe Things we moſt magnify and commend, as Omnipotent, Omniſcient, Juſt, Merciful, &c. And when God Almighty giveth thoſe Names to himſelf in the Scriptures, it is but ἀνθρωποπαθῶς, that is to ſay, by deſcending to our manner of ſpeaking; without which we are not capable of underſtanding him.

4. By the Name of *Spirit*, we underſtand a *Body natural*, but of ſuch *Subtilty*, that it worketh not upon the Senſes; but that filleth up the Place which the Image of a viſible Body might fill up. Our Conception therefore of Spirit conſiſteth of *Figure without Colour*; and in Figure is underſtood Dimenſion, and conſequently, to conceive a Spirit, is to conceive ſomething that hath Dimenſion. But *Spirits ſupernatural* commonly ſignify ſome *Subſtance without* Dimenſion; which two Words do flatly contradict one another: and therefore when we attribute the Name of Spirit unto God, we attribute it not as the Name of any Thing we conceive, no more than we aſcribe unto him Senſe and Underſtanding; but, as a Signification of our Reverence, we deſire to abſtract from him all corporal Groſſneſs.

5. Concerning other Things, which ſome Men call *Spirits incorporeal*, and ſome *corporeal*, it is not *poſſible* by *natural* Means only, to come to the *Knowledge* of ſo much;

as that *there are ſuch Things*. We that are Chriſtians *acknowledge* that there be Angels good and evil, and that there are Spirits, and that the Soul of Man is a Spirit, and that thoſe Spirits are immortal: *but*, to *know* it, that is to ſay, to have natural Evidence of the ſame, it is *impoſſible*: For, all *Evidence* is *Conception*, as is ſaid, Chap. VI. Sect. 3. and all Conception is *Imagination*, and proceedeth from *Senſe*, Chap. III. Sect. 1. And *Spirits* we ſuppoſe to be thoſe Subſtances which work *not* upon the *Senſe*; and therefore not conceptible. But though the Scripture acknowledges Spirits, yet doth it no where ſay, that they are incorporeal, meaning thereby, without Dimenſion and Quality: Nor, I think, is that Word Incorporeal at all in the Bible; but it is ſaid of the Spirit, that it abideth in Men; ſometimes that it dwelleth in them, ſometimes that it cometh on them, that it deſcendeth, and goeth, and cometh; and that Spirits are Angels, that is to ſay, Meſſengers: all which Words do imply *Locality*; and Locality is *Dimenſion*; and whatſoever hath Dimenſion, is *Body*, be it never ſo ſubtil. To me therefore it ſeemeth, that the Scripture favoureth them more, who hold Angels and Spirits corporeal, than them that hold the contrary. And it is a plain *Contradiction* in natural Diſcourſe, to ſay of the Soul of Man, that it is *tota in toto*, & *tota in qualibet Parte Corporis*, grounded neither upon Reaſon nor Revelation, but proceeding from the Ignorance of what thoſe Things are which are called *Spectra*, Images that appear in the Dark to Children, and ſuch as have ſtrong Fears, and other ſtrange Imaginations, as hath been ſaid, Chap. III. Sect. 5. where I call them Phantaſms: For, taking them to be Things real, without us, like Bodies, and ſeeing them to come and vaniſh ſo ſtrangely as they do, unlike to Bodies; what could they call them elſe, but *incorporeal Bodies?* which is not a Name, but an Abſurdity of Speech.

6. It is true, that the Heathens, and all Nations of the World, have acknowledged that there be *Spirits*, which for the moſt part they hold to be incorporeal; whereby it might be thought, that a Man by natural Reaſon, may arrive, without the Scriptures, to the Knowledge of this, *That Spirits are*: But the erroneous Collection thereof by the Heathens, may proceed, as I have ſaid before, from the Ignorance of the Cauſe of Ghoſts and Phantaſms, and ſuch other Apparitions. And from thence had the *Grecians* their Number of Gods, their Number of *Dæmons* good or bad, and for every Man his *Genius*; which is not the acknowledging of this Truth, *That Spirits are*; but a falſe Opinion concerning the Force of Imagination.

7. And ſeeing the *Knowledge* we have of *Spirits*, is *not natural Knowledge*, but *Faith* from ſupernatural Revelation given to the holy Writers of the Scriptures; it followeth, that of Inſpirations alſo, which is the Operation of Spirit in us, the Knowledge which we have, muſt all proceed from Scripture. The *Signs* there ſet down of *Inſpiration*, are *Miracles*, when they be great, and manifeſtly above the Power of Men to do by Impoſture: As for Example, the Inſpiration of *Elias* was known by the miraculous burning of the Sacrifice. But the *Signs* to *diſtinguiſh* whether a *Spirit* be *good* or *evil*, are the ſame by which we diſtinguiſh whether a Man or a Tree be good or evil, namely, *Actions* and *Fruit*: For there are *lying* Spirits, wherewith Men are inſpired ſometimes, as well as with *Spirits* of *Truth*. And we are commanded in Scripture, to judge of the Spirits by their Doctrine, and not of the Doctrine by the Spirits. For Miracles, our Saviour hath forbidden us to rule our Faith by them, *Matth.* xxiv. 24. And Saint *Paul* ſaith, *Gal.* i. 8. *Though an Angel from Heaven preach to you otherwiſe*, &c. *let him be accurſed*. Where it is plain, that we are not to judge whether the Doctrine be true or not, by the Angel; but whether the Angel ſay true or no, by the Doctrine. So likewiſe, 1 *John* iv. 1. *Believe not every Spirit: for falſe Prophets are gone out into the World*. Verſe 2. *Hereby ſhall ye know the Spirit of God*. Verſe 3. *Every Spirit that confeſſeth not that Jeſus Chriſt is come in the Fleſh, is not of God: and this is the Spirit of Antichriſt*. Verſe 15. *Whoſoever confeſſeth that Jeſus is the Son of God, in him dwelleth God, and he in God*. The *Knowledge* therefore we

have of *good* and *evil* Inſpiration, cometh *not* by *Viſion* of an Angel that may teach it, *nor* by a *Miracle* that may ſeem to confirm it; *but* by *Conformity* of Doctrine with this Article and fundamental Point of Chriſtian Faith, which alſo Saint *Paul* ſaith is the ſole Foundation, *That Jeſus Chriſt is come in the Fleſh*, 1 Cor. iii. 11.

8. But if *Inſpiration* be diſcerned by *this* Point, and *this* Point be acknowledged and believed upon the *Authority* of the *Scriptures*; *how* (may ſome Men aſk) know we that the *Scripture deſerveth* ſo great *Authority*, which muſt be no leſs than that of the lively Voice of God; that is, how we know the *Scriptures* to be the *Word* of *God?* And firſt, it is manifeſt, that if by Knowledge we underſtand Science infallible and natural, as is defined, Chap. VI. Sect. 4. proceeding from Senſe, we cannot be ſaid to know it, becauſe it proceedeth not from the Conceptions ingendered by Senſe. And if we underſtand Knowledge as ſupernatural, we cannot have it but by Inſpiration: And of that *Inſpiration* we cannot judge, but by the *Doctrine:* It followeth, that we have not any Way, natural or ſupernatural, of the *Knowledge* thereof, which can properly be called *infallible Science* and *Evidence.* It remaineth, that the Knowledge that we have that the Scriptures are the Word of God, is only *Faith*, which Faith therefore is alſo by Saint *Paul* defined, *Heb*. xi. 1. to be *the Evidence of Things not ſeen*; that is to ſay, not otherwiſe evident but by Faith: For, whatſoever either is evident by natural Reaſon, or Revelation ſupernatural, is not called Faith; elſe ſhould not Faith ceaſe, no more than Charity, when we are in Heaven; which is contrary to the Doctrine of the Scripture. And, we are *not* ſaid to *believe*, *but* to *know* thoſe Things that be *evident*.

9. Seeing then the Acknowledgment of Scriptures to be the Word of God, is not Evidence, but Faith, and Faith (Chap. VI. Sect. 7.) conſiſteth in the Truſt we have of other Men, it appeareth plain, that the Men ſo truſted, are the holy Men of God's Church ſucceeding one another from the Time of thoſe that ſaw the wondrous Works of God Almighty in the Fleſh. Nor doth this imply that God is not the Worker or Efficient Cauſe of Faith, or that Faith is begotten in Man without the Spirit of God: for, all thoſe good Opinions which we admit and believe, though they proceed from Hearing, and Hearing from Teaching, both which are natural, yet they are the Work of God: for, all the Works of Nature are his, and they are attributed to the Spirit of God: As for Example, *Exod*. xxviii. 3. *Thou ſhalt ſpeak unto all cunning Men, whom I have filled with the SPIRIT of Wiſdom, that they may make Aaron's Garments for his Conſecration, that he may ſerve me in the Prieſt's Office.* Faith therefore wherewith we believe, is the Work of the Spirit of God in that Senſe, by which the Spirit of God giveth to one Man Wiſdom and Cunning in Workmanſhip more than another, and by which he effecteth alſo in other Points pertaining to our ordinary Life; that one Man believeth that, which, upon the ſame Grounds, another doth not; and one Man reverenceth the Opinion, and obeyeth the Commands of his Superior, and others not.

10. And ſeeing our Faith, that the Scriptures are the Word of God, began from the Confidence and Truſt we repoſe in the *Church*; there can be no doubt but that their *Interpretation* of the ſame Scriptures (when any Doubt or Controverſy ſhall ariſe, by which this Fundamental Point, *That Jeſus Chriſt is come in the Fleſh*, may be called in Queſtion) is *ſafer* for any Man to truſt to, than his *own*, whether *Reaſoning* or *Spirit*, that is to ſay, his own *Opinion*.

11. Now concerning Men's *Affections* to *God-ward*, they are not the ſame always that are deſcribed in the Chapter concerning Paſſions. There, to love, is to be delighted with the Image or Conception of the Thing loved; but God is is unconceivable: *To love God* therefore, in the Scripture, is to *obey his Commandments*, and to *love one another*. Alſo to *truſt God* is different from our *truſting* one *another:* for, when a Man truſteth a Man, (Chap. IX. Sect 8.) he layeth aſide his own Endeavours: but if we do ſo in our Truſt to God Almighty, we diſobey him; and how ſhall we truſt to him whom we know we diſobey? To *truſt* to *God Al-*

mighty, therefore, is to *refer* to his *good Pleaſure* all that is *above our* own Power to effect: and this is *all one* with *acknowledging one* only God, which is the firſt Commandment. And to truſt *in Chriſt*, is no more but to acknowledge him for God; which is the fundamental Article of our Chriſtian Faith: And conſequently, to truſt, rely, or, as ſome expreſs it, to caſt and roll ourſelves on Chriſt, is the ſame Thing with the fundamental Point of Faith, namely, that *Jeſus Chriſt is the Son of the living God.*

12. To *honour* God internally in the Heart, is the ſame Thing with that we ordinarily call Honour amongſt Men: for it is nothing but the *acknowledging* of his *Power*; and the Signs thereof are the ſame with the Signs of the Honour due to our Superiors, mentioned Chap. VIII. Sect. 6. *viz.* to *praiſe*, to *magnify*, to *bleſs*; to pray to him, to thank him, to give Oblations and Sacrifices to him, to give Attention to his Word, to ſpeak to him in Prayer with Conſideration, to come into his Preſence with humble Geſture, and in decent Manner, and to adorn his Worſhip with Magnificence and Coſt: and theſe are natural Signs of our honouring him internally: And therefore the contrary hereof, to neglect Prayer, to ſpeak to him *extempore*, to come to Church ſlovenly, to adorn the Place of his Worſhip worſe than our own Houſes, to take up his Name in every idle Diſcourſe, are the manifeſt Signs of Contempt of the Divine Majeſty. There be other Signs which are arbitrary; as, to be uncovered (as we be here;) to put off their Shoes, as *Moſes* at the fiery Buſh, and ſome other of that Kind, which in their own Nature are indifferent, till, to avoid Indecency and Diſcord, it be otherwiſe determined by common Conſent.

CHAP. XII.

1. IT hath been declared already how *external* Objects cauſe *Conceptions*, and Conceptions, *Appetite* and *Fear*, which are the *firſt unperceived Beginnings of our Actions:* for *either* the Actions immediately follow the firſt Appetite, as when we do any Thing upon a ſudden; *or elſe* to our firſt Appetite there ſucceedeth ſome Conception of Evil to happen to us by ſuch Actions, which is Fear, and which holdeth us from proceeding. And to that Fear may ſucceed a new Appetite, and to that Appetite another Fear alternately, till the Action be either done, or ſome Accident come between, to make it impoſſible; and ſo this alternate Appetite and Fear ceaſeth. This *alternate Succeſſion of Appetite and Fear* during all the Time the Action is in our Power to do or not to do, is that we call *Deliberation*; which Name hath been given it for that Part of the Definition wherein it is ſaid that it laſteth ſo long as the Action, whereof we deliberate, is in our Power: for, ſo long we have Liberty to do or not to do; and Deliberation ſignifieth a taking away of our Liberty.

2. *Deliberation* therefore requireth in the Action deliberated *two Conditions*; one, that it be *future*; the other, that there be *Hope* of doing it, or Poſſibility of not doing it; for, *Appetite* and *Fear* are *Expectations* of the future; and there is no Expectation of Good without Hope; or of Evil, without Poſſibility: of *Neceſſaries* therefore there is *no Deliberation*. In Deliberation, the laſt Appetite, as alſo the laſt Fear is called *Will*, *viz.* the laſt Appetite, Will to do, or Will to omit. It is all one therefore to ſay *Will*, and *laſt Will*: for, though a Man expreſs his preſent Inclination and Appetite concerning the diſpoſing of his Goods, by Words or Writings; yet ſhall it not be counted his Will, becauſe he hath ſtill Liberty to diſpoſe of them otherwiſe: but when Death taketh away that Liberty, then it is his Will.

3. *Voluntary* Actions and Omiſſions are ſuch as have Beginning in the *Will*; all other are *involuntary*, or *mixed voluntary*, ſuch as a Man doth upon Appetite or Fear; *involuntary*, ſuch as he doth by Neceſſity of Nature, as when he is puſhed, or falleth, and thereby doth Good or Hurt to another: *mixed*, ſuch as participate of both;

as when a Man is carried to Priſon, going is voluntary, to the Priſon is involuntary: The Example of him, that throweth his Goods out of a Ship into the Sea, to ſave his Perſon, is of an Action altogether voluntary; for there is nothing therein involuntary, but the Hardneſs of the Choice, which is not his Action, but the Action of the Winds: what he himſelf doth, is no more againſt his Will than to flee from Danger is againſt the Will of him that ſeeth no other Means to preſerve himſelf.

4. *Voluntary* alſo are the Actions that proceed from ſudden *Anger*, or other ſudden *Appetite* in ſuch Men as can diſcern Good or Evil: for, in them the Time precedent *is* to be judged Deliberation; for then alſo he deliberateth in what Caſes it is good to ſtrike, deride, or do any other Action proceeding from Anger or other ſuch ſudden Paſſion.

5. *Appetite*, *Fear*, *Hope*, and the reſt of the Paſſions, are *not* called *voluntary*; for they proceed *not from*, *but are the Will*, and the Will is not voluntary: for, a Man can no more ſay he will will, than he will will will, and ſo make an infinite Repetition of the Word [*will*]; which is abſurd, and inſignificant.

6. Foraſmuch as *Will to do* is *Appetite*, and *Will to omit*, *Fear*; the *Cauſe* of *Appetite* and *Fear* is the *Cauſe* alſo of our *Will:* But the propounding of the Benefits and of Harms, that is to ſay, of Reward and Puniſhment, is the Cauſe of our Appetite, and of our Fears, and therefore alſo of our Wills, ſo far forth as we believe that ſuch Rewards and Benefits as are propounded, ſhall arrive unto us; and conſequently, our *Wills* follow our *Opinions*, as our *Actions* follow our *Wills*; in which Senſe they ſay truly, and properly, that ſay the World is governed by Opinion.

7. When the Wills of many concur to one and the ſame Action and Effect, this *Concourſe* of their *Wills* is called *Conſent*; by which we muſt not underſtand one Will of many Men (for every Man hath his ſeveral Will) but many Wills to the producing of one Effect: But when the *Wills* of divers Men *produce* ſuch Actions as are reciprocally *reſiſtant* one to the other, this is called *Contention*; and, being upon the Perſons one of another, *Battle:* whereas Actions proceeding from *Conſent*, are mutual *Aid*.

8. When many Wills are involved or included in the Will of one or more conſenting, (which how it may be, ſhall be hereafter declared) then is that involving of many Wills in one or more, called *Union*.

9. In *Deliberations* interrupted, as they may be by *Diverſion* of other Buſineſs, or by *Sleep*, the laſt *Appetite* of ſuch Part of the Deliberation is called *Intention*, or *Purpoſe*.

CHAP. XIII.

1. Having ſpoken of the Powers and Acts of the Mind, both cognitive and motive, conſidered in every Man by *himſelf*, *without Relation to others*; it will fall fitly into *this* Chapter, to ſpeak of the Effects of the ſame Power *one upon another*; which Effects are alſo the Signs, by which one taketh Notice what another conceiveth and intendeth. Of theſe Signs, *ſome* are ſuch as *cannot* eaſily be *counterfeited*; as Actions and Geſtures, eſpecially if they be ſudden, whereof I have mentioned ſome; (for Example, look in Chap. IX.) with the ſeveral Paſſions whereof they are Signs: *Others* there are which *may* be *counterfeited*; and thoſe are *Words* or *Speech*; of the Uſe and Effects whereof, I am to ſpeak in this Place.

2. The firſt Uſe of Language, is the *Expreſſion* of our *Conceptions*; that is, the begetting in another the ſame Conceptions that we have in ourſelves; and this is called *Teaching*; wherein, if the *Conception* of him that teacheth continually accompany his Words, *beginning* at ſomething true in *Experience*, then it begetteth

the like Evidence in the Hearer that underſtandeth them, and maketh him to *know* ſomething, which he is therefore ſaid to *learn:* but if there be *not ſuch Evidence*, then ſuch teaching is called *Perſuaſion*, and begetteth no more in the Hearer, than what is in the Speaker's bare *Opinion*. And the *Signs* of two Opinions contradictory one to another, namely, *Affirmation* and *Negation* of the ſame Thing, is called *Controverſy:* but *both Affirmations*, or *both Negations*, *Conſent in Opinion*.

3. The *infallible* Sign of *teaching exactly*, and without Error, is this, that *no Man* hath *ever taught* the *contrary:* Not that few, how few ſoever, if any; for commonly Truth is on the ſide of a few, rather than of the Multitude: But when in Opinions and Queſtions conſidered and diſcuſſed by many, it happeneth that not any one of the Men that ſo diſcuſs'd them differ from another, then it may be juſtly inferred, they know what they teach, and that otherwiſe they do not. And this appears moſt manifeſtly to them that have conſidered the divers Subjects wherein they have exerciſed their Pens, and the divers Ways in which they have proceeded, together with the Diverſity of the Succeſs thereof: for, thoſe Men who have taken in hand to conſider nothing elſe but the Compariſon of *Magnitudes*, *Numbers*, *Times*, and *Motions*, and how their Proportions are to one another, have thereby been the Authors of all thoſe Excellencies by which we differ from ſuch ſavage People as now inhabit divers Places in *America*; and as have been the Inhabitants heretofore of thoſe Countries where at this Day Arts and Sciences do moſt flouriſh: for, from the Studies of theſe Men, have proceeded whatſoever cometh to us for Ornament by *Navigation*, and whatſoever we have beneficial to human Society by the *Diviſion*, *Diſtinction*, and *Portraiting the Face of the Earth*; whatſoever we have alſo by the *Account of Times*, and *Foreſight of the Courſe of Heaven*; whatſoever by *meaſuring Diſtances*, *Plains*, and *Solids* of all Sorts; and whatſoever either *elegant* or *defenſible* in *Building:* All which ſuppoſed away, what do we differ from the wildeſt of the *Indians?* Yet to this day was it never heard of, that there was any *Controverſy* concerning any Concluſion in this Subject; the Science whereof hath nevertheleſs been continually amplified and enriched by Concluſions of moſt difficult and profound Speculation. The *Reaſon* whereof is apparent to every Man that looketh into their Writings; for they proceed from moſt *low* and *humble* Principles, evident even to the meaneſt Capacity; going on *ſlowly*, and with moſt *ſcrupulous Ratiocination*; *viz.* from the Impoſition of Names, they infer the Truth of their *firſt* Propoſitions; and from two of the firſt, a *Third*; and from any two of the three, a *fourth*; and ſo on, according to the Steps of Science, mentioned Chap. VI. Sect. 4. On the other ſide, thoſe Men who have written concerning the Faculties, Paſſions, and Manners of Men, that is to ſay, of *Moral Philoſophy*; and of *Policy*, *Government*, and *Laws*, whereof there be infinite Volumes; have been ſo *far from removing Doubt* and Controverſy in the Queſtions they have handled, *that* they have very much *multiplied the ſame*. *Nor* doth any Man at this day ſo much as pretend to *know* more than hath been delivered two thouſand Years ago by *Ariſtotle:* and yet every Man thinks that in this Subject he knoweth as much as any other; ſuppoſing there needeth thereunto no Study but what accrueth unto them by natural Wit; though they play, or employ their Mind otherwiſe in the Purchaſe of Wealth or Place. The Reaſon whereof is no other, than that in their Writings and Diſcourſes they take for Principles thoſe Opinions which are already vulgarly received, whether true or falſe, being for the moſt part falſe. There is therefore a great deal of *Difference* between *teaching* and *perſuading*; the Sign of *this* being *Controverſy*; the Sign of the *former*, *no Controverſy*.

4. There be *two ſorts* of Men that commonly be called *learned:* One is that ſort that proceedeth *evidently* from humble Principles, as is deſcribed in the laſt Section; and thoſe Men are called *Mathematici: The other* are they that *take up* Maxims from their *Education*, and from the *Authority* of Men, or of Cuſtom, and *take the habitual Diſcourſe of the Tongue for Ratiocination*; and theſe are called

Dogmatici. Now ſeeing in the laſt Section thoſe we call *Mathematici* are abſolved of the Crime of breeding Controverſy, and they that pretend not to Learning cannot be accuſed, the Fault lieth altogether in the *Dogmatics*, that is to ſay, thoſe that are imperfectly learned, and with Paſſion preſs to have their Opinions paſs every where for Truth, without any evident Demonſtration either from Experience, or from Places of Scripture of uncontroverted Interpretation.

5. The Expreſſion of thoſe Conceptions which *cauſe* in us the *Experience* of Good while we deliberate, as alſo of thoſe which cauſe our Expectation of Evil, is that which we call *Counſelling*, and is the internal Deliberation of the Mind concerning what we ourſelves are to do, or not to do. The *Conſequences* of our Actions are our *Counſellors*, by *alternate Succeſſion* in the Mind. So in the Counſel which a Man taketh from *other* Men, the *Counſellors alternately* do *make appear the Conſequences* of the Action, and do not any of them deliberate, but furniſh among them all, him that is counſelled with Arguments whereupon to deliberate with himſelf.

6. Another Uſe of Speech is *Expreſſion* of *Appetite*, *Intention*, and *Will*; as the Appetite of Knowledge by *Interrogation*; Appetite to have a Thing done by another, as *Requeſt*, *Prayer*, *Petition:* Expreſſions of our Purpoſe or Intention, as *Promiſe*, which is the Affirmation or Negation of ſome Action to be done in the future: *Threatning*, which is the Promiſe of Evil; and *Commanding*, which is that Speech by which we ſignify to another our *Appetite* or Deſire *to have any thing done*, or *left undone*, for Reaſons contained in the Will itſelf: For it is not properly ſaid, *Sic volo, ſic jubeo*, without that other Clauſe, *Stet pro Ratione Voluntas:* And when the Command is a ſufficient Reaſon to move us to Action, then is that Command called a *Law*.

7. Another Uſe of Speech is *Inſtigation* and Appeaſing, by which we increaſe or diminiſh one another's Paſſion: It is the ſame Thing with *Perſuaſion*; the Difference not being real; for, the Begetting of *Opinion* and *Paſſion* is the *ſame*. But whereas in *Perſuaſion* we aim at *getting Opinion from Paſſion*; *here*, the End is, *to raiſe Paſſion from Opinion*. And as in raiſing an Opinion from Paſſion, any Premiſſes are good enough to inforce the deſired Concluſion; ſo, in raiſing Paſſion from Opinion, it is no matter whether the Opinion be true or falſe, or the Narration hiſtorical or fabulous: for, *not* the *Truth*, but the *Image*, maketh Paſſion: and a Tragedy, well acted, affecteth no leſs than a Murther.

8. Tho' Words be the *Signs* we have of one another's *Opinions* and Intentions, becauſe the *Equivocation* of them is ſo *frequent according* to the *Diverſity of Contexture*, and of the Company wherewith they go, which, the Preſence of him that ſpeaketh, our *Sight* of his *Actions*, and *Conjecture* of his *Intentions*, muſt help to diſcharge us of; it muſt therefore be *extreme hard* to find the *Opinions* and Meaning of thoſe *Men* that are *gone from us long ago*, and have left us no other Signification thereof than their Books, which cannot poſſibly be underſtood without *Hiſtory*, to diſcover thoſe aforementioned Circumſtances, and alſo without great Prudence to *obſerve* them.

9. When it happeneth that a Man ſignifieth unto us two *contradictory* Opinions, whereof the *one* is *clearly* and directly *ſignified*, and the *other* either *drawn* from that by *Conſequence*, or not known to be contradictory to it; then (when he is not preſent to explicate himſelf better) we are to take the *former* for his Opinion; for that is clearly ſignified to be his, and directly; whereas the other might proceed from Error in the Deduction, or Ignorance of the Repugnancy. The like alſo is to be held in two contradictory Expreſſions of a Man's Intention and Will, for the ſame Reaſon.

10. Foraſmuch as whoſoever *ſpeaketh* to another, intendeth thereby to *make* him *underſtand* what he ſaith, if he ſpeak unto him either in a Language which he that heareth underſtandeth not, or uſe any Word in other Senſe than he believeth is the Senſe of him that heareth, he *intendeth alſo not* to make him underſtand

ſtand what he ſaith; which is a *Contradiction* of himſelf. It is therefore always to be ſuppoſed, that he which intendeth not to deceive, alloweth the private Interpretation of his Speech to him to whom it is addreſſed.

11. *Silence*, in him that *believeth* that the ſame ſhall be taken for *a Sign of his Intent, is* a Sign thereof indeed: for, if he did not conſent, the Labour of ſpeaking ſo much as to declare the ſame, is ſo little, as it is to be preſumed he would have done it.

CONCLUSION.

THUS have we conſidered the Nature of Man ſo far as was requiſite for the finding out the firſt and moſt ſimple Elements, wherein the Compoſitions of Politic Rules and Laws are laſtly reſolved; which was my preſent Purpoſe.

De Cor-

De Corpore Politico:

OR THE

ELEMENTS

OF

LAW,

MORAL and POLITIC.

WITH

Diſcourſes upon ſeveral Heads;

VIZ.

Of { *The Law of Nature.*
Oaths and Covenants.
Several Kinds of Government. }

With the Changes and Revolutions of them.

DE CORPORE POLITICO.

CHAP. I.

1,2. *Men by Nature equal.*
3. *By Vain Glory indiſpoſed to allow Equality with themſelves, to others.*
4. *Apt to provoke one another by Compariſons.*
5. *Apt to incroach one upon another.*
6. *Right defined.*
7. *Right to the End, implieth Right to the Means.*
8. *Every Man his own Judge by Nature.*
9. *Every Man's Strength and Knowledge for his own Uſe.*
10. *Every Man by Nature hath Right to all Things.*
11. *War and Peace defined.*
12. *Men by Nature in the State of War.*
13. *In manifeſt Inequality Might is Right.*
14. *Reaſon dictateth Peace.*

1. IN a former Treatiſe of Human Nature already printed, hath been ſet forth the whole Nature of Man, conſiſting in the Powers natural of his Body and Mind, and may all be comprehended in theſe four, *Strength of Body*, *Experience*, *Reaſon*, and *Paſſion*.

2. In this, it will be expedient to conſider in what Eſtate of Security this our Nature hath placed us, and what Probability it hath left us, of continuing and preſerving ourſelves againſt the Violence of one another. And firſt, if we conſider how little Odds there is of Strength or Knowledge, between Men of mature Age; and with how great Facility he that is the weaker in Strength or in Wit, or in both, may utterly deſtroy the Power of the ſtronger; ſince there needeth but little Force to the taking away of a Man's Life, we may conclude, that Men conſidered in meer Nature, ought to admit amongſt themſelves Equality; and that he that claimeth no more, may be eſteemed moderate.

3. On the other ſide, conſidering the great Difference there is in Men, from the Diverſity of their Paſſions, how ſome are vainly glorious, and hope for Precedency and Superiority above their Fellows, not only when they are equal in Power, but alſo when they are inferior; we muſt needs acknowledge that it muſt neceſſarily follow, that thoſe Men who are moderate, and look for no more but Equality of Nature, ſhall be obnoxious to the Force of others, that will attempt to ſubdue them. And from hence ſhall proceed a general Diffidence in Mankind, and mutual Fear one of another.

4. Farther, ſince Men by natural Paſſion are divers Ways offenſive one to another, every Man thinking well of himſelf, and hating to ſee the ſame in others, they muſt needs provoke one another by Words, and other Signs of Contempt and Hatred, which are incident to all Compariſon, till at laſt they muſt determine the Preheminence by Strength and Force of Body.

5. Moreover, conſidering that many Men's Appetites carry them to one and the ſame End, which End ſometimes can neither be enjoyed in common, nor divided, it followeth, that the ſtronger muſt enjoy it alone, and that it be decided by Battle who is the ſtronger. And thus the greateſt Part of Men, upon no Aſſurance of Odds, do nevertheleſs through Vanity, or Compariſon, or Appetite, provoke the reſt, that otherwiſe would be contented with Equality.

6. And foraſmuch as Neceſſity of Nature maketh Men to will and deſire *Bonum ſibi*, that which is good for themſelves, and to avoid that which is hurtful; but moſt of all, the terrible Enemy of Nature, Death, from whom we expect both the Loſs of all Power, and alſo the greateſt of bodily Pains in the Loſing; it is not againſt Reaſon, that a Man doth all he can to preſerve his own Body and Limbs both from Death and Pain. And that which is not againſt Reaſon, Men call *Right*, or *Jus*, or *Blameleſs*; *Liberty* of uſing our own natural Power and Ability. It is therefore a Right of Nature, that every Man may preſerve his own Life and Limbs, with all the Power he hath.

7. And becauſe where a Man hath Right to the End, and the End cannot be attained without the Means, that is, without ſuch Things as are neceſſary to the End, it is conſequent that it is not againſt Reaſon, and therefore right for a Man to uſe all Means, and do whatſoever Action is neceſſary for the Preſervation of his Body.

8. Alſo every Man by Right of Nature, is Judge himſelf of the Neceſſity of the Means, and of the Greatneſs of the Danger. For if it be againſt Reaſon, that I be Judge of my own Danger myſelf, then it is Reaſon, that another Man be Judge thereof. But the ſame Reaſon that maketh another Man Judge of thoſe Things that concern me, maketh me alſo Judge of that that concerneth him. And therefore I have Reaſon to judge of his Sentence, whether it be for my Benefit, or not.

9. As a Man's Judgment in Right of Nature is to be employed for his own Benefit, ſo alſo the Strength, Knowledge, and Art of every Man is then rightly employed, when he uſeth it for himſelf; elſe muſt not a Man have Right to preſerve himſelf.

10. Every Man by Nature hath Right to all Things, that is to ſay, to do whatſoever he liſteth to whom he liſteth, to poſſeſs, uſe, and enjoy all things he will and can. For ſeeing all things he willeth, muſt therefore be good unto him in his own Judgment, becauſe he willeth them, and may tend to his Preſervation ſome time or other, or he may judge ſo, and we have made him Judge thereof, Sect. 8. it followeth, that all things may rightly alſo be done by him. And for this Cauſe it is rightly ſaid, *Natura dedit omnia omnibus*, that Nature hath given all Things to all Men; inſomuch, that *Jus* and *Utile*, Right and Profit, is the ſame thing. But that Right of all Men to all things, is in Effect no better than if no Man had Right to any Thing. For there is little Uſe and Benefit of the Right a Man hath, when another as ſtrong, or ſtronger than himſelf, hath Right to the ſame.

11. Seeing then to the Offenſiveneſs of Man's Nature one to another, there is added a Right of every thing, whereby one Man invadeth with Right, and another Man with Right reſiſteth, and Men live thereby in perpetual Diffidence, and ſtudy how to preoccupate each other; the Eſtate of Men in this natural Liberty, is the Eſtate of War. For *War* is nothing elſe but that Time wherein the Will and Intention of contending by Force, is either by Words or Actions ſufficiently declared; and the Time which is not War, is *Peace*.

12. The Eſtate of Hoſtility and War being ſuch, as thereby Nature itſelf is deſtroyed, and Men kill one another; (as we know alſo that it is, both by the Experience of Savage Nations that live at this Day, and by the Hiſtories of our Anceſtors the old Inhabitants of *Germany*, and other now civil Countries, where we find the People few, and ſhort-lived, and without the Ornaments and Comforts of Life, which by Peace and Society are uſually invented and procured) he therefore

that deſireth to live in ſuch an Eſtate as is the Eſtate of Liberty and Right of all to all, contradicteth himſelf. For every Man by natural Neceſſity deſireth his own Good, to which this Eſtate is contrary, wherein we ſuppoſe Contention between Men by Nature equal, and able to deſtroy one another.

13. Seeing this Right of protecting ourſelves by our own Diſcretion and Force, proceedeth from Danger, and that Danger from the Equality between Men's Forces, much more Reaſon is there, that a Man prevent ſuch Equality before the Neceſſity of Battle. A Man therefore that hath another Man in his Power to rule or govern, to do good to, or harm, hath Right, by the Advantage of this his preſent Power, to take Caution at his Pleaſure, for his Security againſt that other in Time to come. He therefore that hath already ſubdued his Adverſary, or gotten into his Power any other, that either by Infancy, or Weakneſs, is unable to reſiſt him, by Right of Nature may take the beſt Caution, that ſuch Infant, or ſuch feeble and ſubdued Perſon can give him, of being ruled and governed by him for the Time to come. For ſeeing we intend always our own Safety and Preſervation, we manifeſtly contradict that our Intention, if we willingly diſmiſs ſuch a one, and ſuffer him at once to gather Strength and be our Enemy. Out of which may alſo be collected, that inreſiſtable Might in the State of Nature, is Right.

14. But ſince it is ſuppoſed by the Equality of Strength, and other natural Faculties of Men, that no Man is of Might ſufficient to aſſure himſelf for any long Time, of preſerving himſelf thereby, whilſt he remaineth in the State of Hoſtility and War; Reaſon therefore dictateth to every Man for his own Good, to ſeek after Peace, as far forth as there is Hope to attain the ſame: and ſtrengthen himſelf with all the Help he can procure, for his own Defence againſt thoſe, from whom ſuch Peace cannot be obtained: and to do all thoſe Things which neceſſarily conduce thereunto.

CHAP. II.

1. *The Law of Nature conſiſteth not in Conſent of Men, but Reaſon.*
2. *That every Man diveſt himſelf of the Right he hath to all Things, is one Precept of Nature.*
3. *What it is to relinquiſh and tranſfer one's Right.*
4. *The Will to transfer, and the Will to accept, both neceſſary to the paſſing away of Right.*
5. *Right not transferred by Words* de Futuro, *only.*
6. *Words* de Futuro, *together with other Signs of the Will, may transfer Right.*
7. *Free Gift defined.*
8. *Contract, and the Sorts of it.*
9. *Covenant defined.*
10. *Contract of mutual Truſt, is of no Validity in the Eſtate of Hoſtility.*
11. *No Covenant of Men but with one another.*
12. *Covenant how diſſolved.*
13. *Covenant extorted by Fear, in the Law of Nature valid.*
14. *Covenant contrary to former Covenant, void.*
15. *An Oath defined.*
16. *Oath to be adminiſtered to every Man in his own Religion.*
17. *Oath addeth not to the Obligation.*
18. *Covenants bind but to endeavour.*

1. WHAT it is we call the Law of Nature, is not agreed upon by thoſe, that have hitherto written. For the moſt part, ſuch Writers as have Occaſion to affirm, that any thing is againſt the Law of Nature, do alledge no more than this, that it is againſt the Conſent of all Nations, or the wiſeſt and moſt civil Nations. But it is not agreed upon, who ſhall judge which Nations are the wiſeſt. Others make that againſt the Law of Nature, which is contrary to the Conſent of all Mankind; which Definition cannot be allowed, becauſe then no

Man could offend againſt the Law of Nature; for the Nature of every Man is contained under the Nature of Mankind. But foraſmuch as all Men are carried away by the Violence of their Paſſions, and by evil Cuſtoms do thoſe Things which are commonly ſaid to be againſt the Law of Nature; it is not the Conſent of Paſſions, or Conſent in ſome Error gotten by Cuſtom, that makes the Law of Nature. Reaſon is no leſs of the Nature of Man than Paſſion, and is the ſame in all Men, becauſe all Men agree in the Will to be directed and governed in the Way to that which they deſire to attain, namely, their own Good, which is the Work of Reaſon: There can therefore be no other Law of Nature than Reaſon, nor no other Precepts of *Natural Law*, than thoſe which declare unto us the Ways of Peace, where the ſame may be obtained, and of Defence where it may not.

2. One Precept of the Law of Nature therefore is this, *that every Man diveſt himſelf of the Right he hath to all Things by Nature*. For when divers Men having Right not only to all Things elſe, but to one another's Perſons, if they uſe the ſame, there ariſeth thereby Invaſion on the one Part, and Reſiſtance on the other, which is *War*, and therefore contrary to the Law of Nature, the Sum whereof conſiſteth in making Peace.

3. When a Man diveſteth and putteth from himſelf his Right, he either ſimply relinquiſheth it, or transferreth the ſame to another Man. To *relinquiſh* it, is by ſufficient Signs to declare, that it is his Will no more to do that Action, which of Right he might have done before. To *transfer* Right to another, is by ſufficient Signs to declare to that other accepting thereof, that it is his Will not to reſiſt, or hinder him, according to that Right he had thereto before he transferred it. For ſeeing that by Nature every Man hath Right to every Thing, it is impoſſible for a Man to transfer unto another any Right that he had not before. And therefore all that a Man doth in transferring of Right, is no more but a declaring of the Will, to ſuffer him, to whom he hath ſo transferred his Right, to make Benefit of the ſame, without Moleſtation. As for Example, when a Man giveth his Lands or Goods to another, he taketh from himſelf the Right to enter into, and make uſe of the ſaid Lands or Goods, or otherwiſe to hinder him of the Uſe of what he hath given.

4. In transferring of Right, two Things therefore are required: One on the Part of him that transferreth, which is a ſufficient Signification of his Will therein; the other, on the Part of him to whom it is transferred, which is a ſufficient Signification of his Acceptation thereof. Either of theſe failing, the Right remaineth where it was: nor is it to be ſuppoſed, that he which giveth his Right to one that accepteth it not, doth thereby ſimply relinquiſh it, and transfer it to whomſoever will receive it: inaſmuch as the Cauſe of transferring the ſame to one, rather than to another, is in the one, rather than in the reſt.

5. When there appear no other Signs that a Man hath relinquiſhed, or transferred his Right, but only Words, it behoveth that the ſame be done in Words that ſignify the preſent Time, or the Time paſt, and not only the Time to come. For he that ſaith of the Time to come, (as for Example) To-morrow, I will give, declareth evidently, that he hath not yet given. The Right therefore remaineth in him To-day, and ſo continues, till he have given actually. But he that ſaith, I give, preſently, or have given to another any thing, to have and enjoy the ſame To-morrow, or any other Time further, hath now actually transferred the ſaid Right, which otherwiſe he ſhould have had at the Time that the other is to enjoy it.

6. But becauſe Words alone are not a ſufficient Declaration of the Mind, as hath been ſhewed, Chap. XIII. Sect. 8. Words ſpoken *de Futuro* when the Will of him that ſpeaketh them may be gathered by other Signs, may be taken very often as if they were meant *de Præſenti*: For when it appeareth, that he that giveth, would have his Words ſo underſtood by him to whom he giveth, as if he did actually transfer his Right, then he muſt needs be underſtood to will all that is neceſſary to the ſame.

7. When a Man transferreth any Right of his to another, without Conſideration of reciprocal Benefit paſt, preſent, or to come, this is called *Free Gift*. And in Free Gift, no other Words can be binding, but thoſe which are *de Præſenti*, or *de Præterio*: For being *de Futuro* only, they transfer nothing, nor can they be underſtood, as if they proceeded from the Will of the Giver; becauſe being a free Gift, it carrieth with it no Obligation greater than that which is enforced by the Words. For he that promiſeth to give, without any other Conſideration but his own Affection, ſo long as he hath not given, deliberateth ſtill, according as the Cauſes of his Affections continue, or diminiſh: And he that deliberateth, hath not yet willed, becauſe the Will is the laſt Act of his Deliberation. He that promiſeth therefore, is not thereby a *Donor*, but *Doſon*; which Name was given to that *Antiochus*, that promiſed often, but ſeldom gave.

8. When a Man transferreth his Right upon Conſideration of reciprocal Benefit, this is not Free Gift, but Mutual *Donation*, and is called *Contract*. And in all Contracts, either both Parties preſently perform, and put each other into a Certainty and Aſſurance of enjoying what they contract for; as when Men buy or ſell, or barter: or one Party performeth preſently, and the other promiſeth; as when one ſelleth upon Truſt; or elſe neither Party performeth preſently, but truſt one another. And it is impoſſible there ſhould be any kind of Contract beſides theſe three. For either both the Contractors truſt, or neither; or elſe one truſteth, and the other not.

9. In all Contracts where there is Truſt, the Promiſe of him that is truſted is called a *Covenant*. And this though it be a Promiſe, and of the Time to come, yet it doth transfer the Right, when that Time cometh, no leſs than an actual Donation. For it is a manifeſt Sign, that he which did perform, underſtood it was the Will of him that was truſted, to perform alſo. Promiſes therefore, upon Conſideration of reciprocal Benefit, are Covenants and Signs of the Will, or laſt Act of Deliberation, whereby the Liberty of performing, or not performing, is taken away, and conſequently are obligatory. For where Liberty ceaſeth, there beginneth Obligation.

10. Nevertheleſs, in Contracts that conſiſt of ſuch mutual Truſt, as that nothing be by either Party performed for the preſent, when the Contract is between ſuch as are not compellable, he that performeth firſt, conſidering the Diſpoſition of Men to take Advantage of every Thing for their Benefit, doth but betray himſelf thereby to the Covetouſneſs or other Paſſion of him with whom he contracteth. And therefore ſuch Covenants are of none Effect. For there is no Reaſon why the one ſhould perform firſt, if the other be likely not to perform afterward. And whether he be likely or not, he that doubteth, ſhall be Judge himſelf, as hath been ſaid, Chap. I. Sect. 8. as long as they remain in the Eſtate and Liberty of Nature. But when there ſhall be ſuch Power coercive over both the Parties, as ſhall deprive them of their private Judgments in this Point, then may ſuch Covenants be effectual, ſeeing he that performeth firſt ſhall have no reaſonable Cauſe to doubt of the Performance of the other, that may be compelled thereunto.

11. And foraſmuch as in all Covenants, and Contracts, and Donations, the Acceptance of him to whom the Right is transferred, is neceſſary to the Eſſence of thoſe Covenants, Donations, *&c.* it is impoſſible to make a Covenant or Donation to any, that by Nature, or Abſence, are unable; or if able, do not actually declare their Acceptation of the ſame. Firſt of all therefore, it is impoſſible for any Man to make a Covenant with God Almighty, farther than it hath pleaſed him to declare who ſhall receive and accept of the ſaid Covenant in his Name. Alſo it is impoſſible to make Covenant with thoſe living Creatures, of whoſe Wills we have no ſufficient Sign, for want of common Language.

12. A Covenant to do any Action at a certain Time or Place, is then diſſolved by the Covenanter, when that Time cometh, either by the Performance, or by the Violation. For a Covenant is void that is once impoſſible. But a Covenant

to do without Time limited, which is as much as to ſay, a Covenant never to do, is diſſolved by the Covenanter then only, when he violateth it, or dieth. And generally, all Covenants are diſchargeable by the Covenantee, to whoſe Benefit, and by whoſe Right, he that maketh the Covenant is obliged. This Right therefore of the Covenantee relinquiſhed, is a Releaſe of the Covenant. And univerſally, for the ſame Reaſon, all Obligations are determinable at the Will of the Obliger.

13. It is a Queſtion often moved, whether ſuch Covenants oblige, as are extorted from Men by Fear? As for Example, Whether if a Man for Fear of Death, hath promiſed to give a Thief an hundred Pounds the next day, and not diſcover him; whether ſuch Covenant be obligatory or not? And though in ſome Caſes ſuch Covenant may be void, yet it is not therefore void, becauſe extorted by Fear. For there appeareth no Reaſon, why that which we do upon Fear, ſhould be leſs firm than that which we do for Covetouſneſs: For both the one and the other maketh the Action voluntary. And if no Covenant ſhould be good, that proceedeth from Fear of Death, no Conditions of Peace between Enemies, nor any Laws, could be of Force, which are all conſented to from that Fear. For who would loſe the Liberty that Nature hath given him, of governing himſelf by his own Will and Power, if they feared not Death in the retaining of it? What Priſoner in War might be truſted to ſeek his Ranſom, and ought not rather to be killed, if he were not tied by the Grant of his Life, to perform his Promiſe? But after the Introduction of Policy and Laws, the Caſe may alter; for if by the Law the Performance of ſuch a Covenant be forbidden, then he that promiſeth any thing to a Thief, not only may, but muſt refuſe to perform it. But if the Law forbid not the Performance, but leave it to the Will of the Promiſer, then is the Performance ſtill lawful: and the Covenant of Things lawful is obligatory, even towards a Thief.

14. He that giveth, promiſeth, or covenanteth to one, and after, giveth, promiſeth, or covenanteth the ſame to another, maketh void the latter Act. For it is impoſſible for a Man to transfer that Right which he himſelf hath not; and that Right he hath not, which he himſelf hath before transferred.

15. An *Oath* is a Clauſe annexed to a Promiſe, containing a Renunciation of God's Mercy by him that promiſeth, in caſe he perform not as far as is lawful and poſſible for him to do. And this appeareth by the Words which make the Eſſence of the Oath, *So help me God.* So alſo was it amongſt the Heathen. And the Form of the *Romans* was, *Thou* Jupiter *kill him that breaketh, as I kill this Beaſt.* The Intention therefore of an Oath being to provoke Vengeance upon the *Breakers* of Covenant, it is to no Purpoſe to ſwear by Men, be they never ſo great, becauſe their Puniſhment by divers Accidents may be avoided, whether they will or no, but God's Puniſhment not. Though it were a Cuſtom of many Nations, to ſwear by the Life of their Princes; yet thoſe Princes being ambitious of divine Honour, give ſufficient Teſtimony, that they believed, nothing ought to be ſworn by but the Deity.

16. And ſeeing Men cannot be afraid of the Power they believe not, and an Oath is to no Purpoſe, without Fear of him they ſwear by, it is neceſſary that he that ſweareth, do it in that Form which himſelf admitteth in his own Religion, and not in that Form which he uſeth, that putteth him to the Oath. For though all Men may know by Nature, that there is an Almighty Power, nevertheleſs they believe not, that they ſwear by him in any other Form or Name, than what their own (which they think the true) Religion teacheth them.

17. And by the Definition of an Oath, it appeareth that it addeth not a greater Obligation to perform the Covenant ſworn, than the Covenant carried in itſelf, but it putteth a Man into greater Danger, and of greater Puniſhment.

18. Covenants and Oaths are *de Voluntariis*, that is, *de Poſſibilibus.* Nor can the Covenantee underſtand the Covenanter to promiſe *Impoſſibles*; for they fall not

under

under Deliberation : and conſequently, (by Chap. XIII. Sect. 10. which maketh the Covenanter Interpreter) no Covenant is underſtood to bind further, than to our beſt Endeavour either in Performance of the Thing promiſed, or in ſomething equivalent.

CHAP. III.

1. *That Men ſtand to their Covenants.*
2. *Injury defined.*
3. *That Injury is done only to the Covenantee.*
4. *The Signification of thoſe Names, Juſt, Unjuſt.*
5. *Juſtice not rightly divided into Commutative, and Diſtributive.*
6. *It is a Law of Nature, that he that is truſted, turn not that Truſt to the Damage of him that truſteth.*
7. *Ingratitude defined.*
8. *It is a Law of Nature, to endeavour to accommodate one another.*
9. *And that Man forgive upon Caution for the future.*
10. *And that Revenge ought to reſpect the future only.*
11. *That Reproach and Contempt declared, is againſt the Law of Nature.*
12. *That Indifference of Commerce is of the Law of Nature.*
13. *That Meſſengers employed to procure or maintain Peace, ought to be ſafe by the Law of Nature.*

1. IT is a common Saying that Nature maketh nothing in vain. And it is moſt certain, that as the Truth of a Concluſion is no more but the Truth of the Premiſes that make it ; ſo the Force of the Command, or Law of Nature, is no more than the Force of the Reaſons inducing thereunto. Therefore the Law of Nature mentioned in the former Chapter, Sect. 2. namely, *That every Man ſhould diveſt himſelf of the Right*, &c. were utterly vain, and of none Effect, if this alſo were not a Law of the ſame Nature, *That every Man is obliged to ſtand to, and perform, thoſe Covenants he maketh.* For what Benefit is it to a Man, that any thing be promiſed, or given unto him, if he that giveth, or promiſeth, performeth not, or retaineth ſtill the Right of taking back what he hath given ?

2. The Breach or Violation of Covenant, is that which Men call *Injury*, conſiſting in ſome Action or Omiſſion, which is therefore called *Unjuſt*. For it is Action or Omiſſion, without *Jus*, or Right, which was transferred or relinquiſhed before. There is a great Similitude between that we call *Injury*, or *Injuſtice* in the Actions and Converſations of Men in the World, and that which is called *Abſurd* in the Arguments and Diſputations of the Schools. For as he which is driven to contradict an Aſſertion by him before maintained, is ſaid to be reduced to an Abſurdity; ſo he that through Paſſion doth, or omitteth that which before by Covenant he promiſed to do, or not to omit, is ſaid to commit Injuſtice ; and there is in every Breach of Covenant a Contradiction properly ſo called. For he that covenanteth, willeth to do, or omit, in the time to come. And he that doth any Action, willeth it in that preſent, which is part of the future Time contained in the Covenant. And therefore he that violateth a Covenant, willeth the Doing and the not Doing of the ſame Thing at the ſame Time, which is a plain Contradiction. And ſo *Injury* is an *Abſurdity* of Converſation, as Abſurdity is a Kind of Injuſtice in Diſputation.

3. In all Violation of Covenant, (to whomſoever accrueth the Damage) the Injury is done only to him to whom the Covenant was made. For Example : If a Man covenant to obey his Maſter, and the Maſter command him to give Money to a third, which he promiſeth to do, and doth not, though this be to the Damage of the third, yet the Injury is done to the Maſter only. For he could violate

no Covenant with him, with whom none was made, and therefore doth him no Injury. For Injury conſiſteth in Violation of Covenant by the Definition thereof.

4. The Names of *Juſt*, *Unjuſt*, *Juſtice*, *Injuſtice*, are equivocal, and ſignify diverſly. For Juſtice and Injuſtice, when they be attributed to Actions, ſignify the ſame Thing with *no Injury*, and *Injury*, and denominate the Action *Juſt*, or *Unjuſt*, but not the Man ſo. For they denominate him *Guilty*, or *not Guilty*. But when Juſtice or Injuſtice, are attributed to Men, they ſignify *Proneneſs*, and Affection and Inclination of Nature, that is to ſay, Paſſions of the Mind, apt to produce juſt and unjuſt Actions. So that when a Man is ſaid to be Juſt, or Unjuſt; not the Action, but the Paſſion and Aptitude to do ſuch Actions, is conſidered. And therefore a juſt Man may have committed an unjuſt Act; and an unjuſt Man may have done juſtly, not only in one, but moſt of his Actions. For there is an *oderunt peccare* in the unjuſt, as well as in the juſt, but from different Cauſes. For the unjuſt Man who abſtaineth from Injuries for Fear of Puniſhment, declareth plainly, that the Juſtice of his Actions dependeth upon Civil Conſtitution, from whence Puniſhments proceed, which would otherwiſe in the Eſtate of Nature be unjuſt, according to the Fountain from whence they ſpring. This Diſtinction therefore of *Juſtice* and *Injuſtice*, ought to be remembered, and when Injuſtice is taken for guilty, the Action is unjuſt, but not therefore the Man; and when Juſtice is taken for *Guiltleſneſs*, the Actions are juſt, and yet not always the Man. Likewiſe when Juſtice and Injuſtice are taken for Habits of the Mind, the Man may be juſt, or unjuſt, and yet not all his Actions ſo.

5. Concerninng the Juſtice of Actions, the ſame is uſually divided into two Kinds, whereof Men call the one *Commutative*, and the other *Diſtributive*; and are ſaid to conſiſt, the one in Proportion *Arithmetical*, the other in *Geometrical:* and *Commutative* Juſtice they place in Permutation, as Buying, Selling, Bartering; *Diſtributive*, in giving to every Man according to their Deſerts. Which Diſtinction is not well made, inaſmuch as Injury, which is the Injuſtice of Action, conſiſteth not in the Inequality of the Things changed, or diſtributed, but in the Inequality that Men (contrary to Nature and Reaſon) aſſume unto themſelves above their Fellows. Of which Inequality, ſhall be ſpoken hereafter. And for *Commutative* Juſtice, placed in Buying and Selling, though the Thing bought be unequal to the Price given for it, yet foraſmuch as both the Buyer and the Seller are made Judges of the Value, and are thereby both ſatisfied, there can be no Injury done on either Side, neither Party having truſted or covenanted with the other. And for *Diſtributive* Juſtice, which conſiſteth in the Diſtribution of our own Benefits, ſeeing a Thing is therefore ſaid to be our own, becauſe we may diſpoſe of it at our own Pleaſure, it can be no Injury to any Man, though our Liberality be farther extended towards another, than towards him; unleſs we be thereto obliged by Covenant: and then the Injuſtice conſiſteth in the Violation of that Covenant, and not in the Inequality of Diſtribution.

6. It happeneth many times that Man benefiteth, or contributeth, to the Power of another, without any Covenant, but only upon Confidence and Truſt of obtaining the Grace and Favour of that other, whereby he may procure a greater, or no leſs Benefit and Aſſiſtance to himſelf. For by Neceſſity of Nature, every Man doth in all his voluntary Actions intend ſome Good unto himſelf. In this Caſe it is a Law of Nature, *That no Man ſuffer him, that thus truſteth to his Charity, or good Affection towards him, to be in the worſe Eſtate for his Truſting.* For if he ſhall ſo do, Men will not dare to confer mutually to each other's Defence, nor put themſelves into each other's Mercy upon any Terms whatſoever, but rather abide the utmoſt and worſt Event of Hoſtility; by which great Diffidence, Men will not only be inforced to War, but alſo afraid to come ſo much within the Danger of one another, as to make any Overture of Peace. But this is to be underſtood of thoſe only, that confer their Benefits (as I have ſaid) upon Truſt only, and not for Triumph or Oſtentation. For as when they do it upon Truſt,

the End they aimed at, namely, to be well uſed, is the Reward; ſo alſo when they do it for Oſtentation, they have the Reward in themſelves.

7. But ſeeing in this Caſe there paſſeth no Covenant, the Breach of this Law of Nature is not to be called *Injury*. It hath another Name, to wit, *Ingratitude*.

8. It is alſo a Law of Nature, *That every Man do help and endeavour to accommodate each other as far as may be, without Danger of their Perſons, and Loſs of their Means to maintain and defend themſelves.* For ſeeing the Cauſes of War and Deſolation proceed from thoſe Paſſions, by which we ſtrive to accommodate ourſelves, and to leave others as far as we can behind us, it followeth, that that Paſſion by which we ſtrive mutually to accommodate each other, muſt be the Cauſe of Peace. And this Paſſion is that Charity defined, Chap. IX. Sect. 17.

9. And in this Precept of Nature is included and comprehended alſo this, *That a Man forgive and pardon him that hath done him wrong, upon his Repentance and Caution for the future.* For *Pardon* is Peace granted to him, that (having provoked to War) demandeth it. It is not therefore Charity, but Fear, when a Man giveth Peace to him that repenteth not, nor giveth Caution for maintaining thereof in the Time to come. For he that repenteth not, remaineth with the Affection of an Enemy; as alſo doth he that refuſeth to give Caution, and conſequently, is preſumed not to ſeek for Peace, but Advantage. And therefore to forgive him is not commanded in this Law of Nature, nor is Charity, but may ſometimes be Prudence. Otherwiſe, not to pardon upon Repentance and Caution, conſidering Men cannot abſtain from provoking one another, is never to give *Peace*. And that is againſt the general Definition of the Law of Nature.

10. And ſeeing the Law of Nature commandeth Pardon, when there is Repentance and Caution for the future, it followeth, that the ſame Law ordaineth, *That no Revenge be taken upon the Conſideration only of the Offence paſt, but of the Benefit to come*, that is to ſay, That all Revenge ought to tend to Amendment, either of the Perſon offending, or of others, by the Example of his Puniſhment; which is ſufficiently apparent, in that the Law of Nature commandeth Pardon, where the future Time is ſecured. The ſame is alſo apparent by this, That Revenge when it conſidereth the Offence paſt, is nothing elſe, but preſent Triumph and Glory, and directeth to no End: and what is directed to no End, is therefore unprofitable; and conſequently the Triumph of Revenge is Vain Glory: and whatſoever is vain, is againſt Reaſon; and to hurt one another without Reaſon, is contrary to that, which by Suppoſition is every Man's Benefit, namely Peace; and what is contrary to Peace, is contrary to the Law of Nature.

11. And becauſe all Signs which we ſhew to one another of Hatred and Contempt, provoke in the higheſt Degree to Quarrel and Battle, (inaſmuch as Life itſelf, with the Condition of enduring Scorn, is not eſteemed worth the enjoying, much leſs Peace) it muſt neceſſarily be implied as a Law of Nature, *That no Man reproach, revile, deride, or any otherwiſe declare his Hatred, Contempt, or Diſeſteem of any other*. But this Law is very little practiſed. For what is more ordinary than Reproaches of thoſe that are rich, towards them that are not? or of thoſe that ſit in Place of Judicature, towards thoſe that are accuſed at the Bar? altho' to grieve them in that Manner, be no Part of the Puniſhment for their Crime, nor contained in their Office. But Uſe hath prevailed, That what was lawful in the Lord towards the Servant whom he maintaineth, is alſo practiſed as lawful in the more Mighty towards the Leſs; though they contribute nothing towards their Maintenance.

12. It is alſo a Law of Nature, *That one Man allow Commerce and Traffick indifferently to one another*. For he that alloweth that to one Man, which he denieth to another, declareth his Hatred to him to whom he denieth. And to declare Hatred, is War. And upon this Title was grounded the great War between the *Athenians* and the *Peloponneſians*. For would the *Athenians* have condeſcended to ſuffer the *Megareans*, their Neighbours, to traffick in their Ports and Markets, that War had not begun.

13. And this alſo is a Law of Nature, *That all Meſſengers of Peace, and ſuch as are employed to procure and maintain Amity between Man and Man, may ſafely come and go.* For ſeeing Peace is the general Law of Nature, the Means thereto (ſuch as are theſe Men) muſt in the ſame Law be comprehended.

CHAP IV.

1. *A Law of Nature, That every Man acknowledge other for his Equal.*
2. *Another, That Men allow* Æqualia Æqualibus.
3. *Another, That thoſe Things which cannot be divided, be uſed in common.*
4. *Another, That Things indiviſible and incommunicable, be divided by Lot.*
5. *Natural Lot, Primogeniture, and firſt Poſſeſſion.*
6. *That Men ſubmit to Arbitration.*
7. *Of an Arbitrator.*
8. *That no Man preſs his Counſel upon any Man againſt his Will.*
9. *How to know ſuddenly what is the Law of Nature.*
10. *That the Law of Nature taketh place after Security from others to obſerve the ſame.*
11. *The Right of Nature not to be taken away by Cuſtom, nor the Law of Nature abrogated by any Act.*
12. *Why the Dictates of Nature are called Laws.*
13. *Whatſoever is againſt Conſcience in a Man that is his own Judge, is againſt the Law of Nature.*
14. *Of* Malum Pœnæ, Malum Culpæ; *Virtue and Vice.*
15. *Aptitude to Society, fulfilleth the Law of Nature.*

1. THE Queſtion, Which is the better Man? is determinable only in the Eſtate of Government and Policy, though it be miſtaken for a Queſtion of Nature, not only by ignorant Men, that think one Man's Blood better than another's by Nature, but alſo by him, whoſe Opinions are at this Day, and in theſe Parts, of greater Authority than any other human Writings. For he putteth ſo much Difference between the Powers of Men by Nature, that he doubteth not to ſet down, as the Ground of all his Politics, That ſome Men are by Nature worthy to govern, and others by Nature ought to ſerve. Which Foundation hath not only weakened the whole Frame of his Politics, but hath alſo given Men Colour and Pretences, whereby to diſturb and hinder the Peace of one another. For though there were ſuch a Difference of Nature, that Maſter and Servant were not by Conſent of Men, but by inherent Virtue; yet who hath that Eminency of Virtue above others, and who is ſo ſtupid as not to govern himſelf, ſhall never be agreed upon amongſt Men, who do every one naturally think himſelf as able, at the leaſt, to govern another, as another to govern him. And when there was any Contention between the finer and the coarſer Wits, (as there hath been often in Times of Sedition and Civil War) for the moſt part theſe latter carried away the Victory; and as long as Men arrogate to themſelves more Honour than they give to others, it cannot be imagined, how they can poſſibly live in Peace: and conſequently we are to ſuppoſe, that for Peace ſake, Nature hath ordained this Law, *That every Man acknowledge other for his Equal.* And the Breach of this Law, is that we call *Pride.*

2. As it was neceſſary that a Man ſhould not retain his Right to every Thing, ſo alſo was it, that he ſhould retain his Right to ſome Things: To his own Body (for Example) the Right of defending whereof he could not transfer; to the Uſe of Fire, Water, free Air, and Place to live in, and to all Things neceſſary for Life. Nor doth the Law of Nature command any diveſting of other Rights, than

of thoſe only which cannot be retained without the Loſs of Peace. Seeing then many Rights are retained, when we enter into Peace one with another, Reaſon and the Law of Nature dictateth, *Whatſoever Right any Man requireth to retain, he allow every other Man to retain the ſame.* For he that doth not ſo, alloweth not the Equality mentioned in the other Section. For there is no Acknowledgment of Worth, without Attribution of the Equality of Benefit and Reſpect. And this Allowance of *Æqualia Æqualibus*, is the ſame thing with the allowing of *Proportionalia Proportionalibus.* For when a Man alloweth to every Man alike, the Allowance he maketh will be in the ſame Proportion in which are the Numbers of Men to whom they are made. And this is it Men mean by *diſtributive Juſtice*, and is properly termed *Equity.* The Breach of the Law is that which the *Greeks* call Πλεονεξία, which is commonly rendered *Covetouſneſs*, but ſeemeth to be more preciſely expreſſed by the word *Incroaching.*

3. If there paſs no other Covenant, the Law of Nature is, *That ſuch Things as cannot be divided, be uſed in common, proportionably to the Numbers of them that are to uſe the ſame, or without Limitation, when the Quantity thereof ſufficeth.* For firſt ſuppoſing the Thing to be uſed in common, not ſufficient for them that are to uſe it without Limitation, if a few ſhall make more Uſe thereof than the reſt, that Equality is not obſerved, which is required in the ſecond Section. And this is to be underſtood, as all the reſt of the Laws of Nature, without any other Covenant antecedent: for a Man may have given away his Right of Common, and ſo the Caſe be altered.

4. In thoſe Things which neither can be divided, nor uſed in common, the Rule of Nature muſt needs be one of theſe, *Lot*, or *alternate Uſe*: for beſides theſe two ways, there can no other Equality be imagined; and for alternate Uſe, he that beginneth hath the Advantage; and to reduce that Advantage to Equality, there is no other way but Lot. In Things therefore indiviſible and incommunicable, it is the Law of Nature, *That the Uſe be alternate, or the Advantage given away by Lot*; becauſe there is no other way of Equality; and Equality is the Law of Nature.

5. There be two ſorts of Lots; one arbitrary, made by Men, and commonly known by the Names of *Lot*, *Chance*, *Hazard*, and the like; and there is *natural Lot*, ſuch as is *Primogeniture*, which is no more but the Chance or Lot of being firſt born, which it ſeemeth they conſidered, that call Inheritance by the Name of Κληρονομία, which ſignifieth *Diſtribution* by Lot. Secondly, *prima Occupatio*, firſt ſeizing, or finding a Thing, whereof no Man made uſe before, which for the moſt part is merely *Chance.*

6. Although Men agree upon theſe Laws of Nature, and endeavour to obſerve the ſame; yet conſidering the Paſſions of Men, that make it difficult to underſtand by what Actions, and Circumſtances of Actions, thoſe Laws are broken; there muſt needs ariſe many great Controverſies about the Interpretation thereof, by which the Peace muſt needs be diſſolved, and Men return again to their former Eſtate of Hoſtility. For the taking away of which Controverſies, it is neceſſary that there be ſome common *Arbitrator* and *Judge*, to whoſe Sentence both the Parties in Controverſies ought to ſtand. And therefore it is a Law of Nature, *That in every Controverſy, the Parties thereto ought mutually to agree upon an Arbitrator, whom they both truſt; and mutually to covenant to ſtand to the Sentence he ſhall give therein.* For where every Man is his own *Judge*, there properly is no Judge at all; as where every Man carveth out his own Right, it hath the ſame Effect, as if there were no Right at all: and where is no Judge, there is no End of Controverſy: And therefore the Right of Hoſtility remaineth.

7. An *Arbitrator* therefore, or he that is Judge, is truſted by the Parties to any Controverſy, to determine the ſame by the Declaration of his own Judgment therein. Out of which followeth firſt, that the Judge ought not to be concerned in the Controverſy he endeth; for in that Caſe he is a Party, and ought by the ſame Reaſon to be judged by another. Secondly, that he make no Covenant

with either of the Parties, to pronounce Sentence for the one, more than for the other. Nor covenant ſo much, as that his Sentence ſhall be juſt; for that were to make the Parties Judges of the Sentence, whereby the Controverſy would remain ſtill undecided. Nevertheleſs for the Truſt repoſed in him, and for the Equality which the Law of Nature requireth him to conſider in the Parties, he violateth that Law, if for Favour or Hatred to either Party, he give other Sentence than he thinketh right. And thirdly, that no Man ought to make himſelf Judge in any Controverſy between others, unleſs they conſent and agree thereto.

8. It is alſo the Law of Nature, *That no Man obtrude or preſs his Advice or Counſel to any Man, that declareth himſelf unwilling to hear the ſame.* For ſeeing a Man taketh Counſel concerning what is Good or Hurt of himſelf only, and not of his Counſellor, and that Counſel is a voluntary Action, and therefore tendeth alſo to the Good of the Counſellor, there may be often juſt Cauſe to ſuſpect the Counſellor: and though there be none, yet ſeeing Counſel unwillingly heard, is a needleſs Offence to him that is not willing to hear it, and Offences tend all to the Breach of Peace, it is therefore againſt the Law of Nature to obtrude it.

9. A Man that ſhall ſee theſe Laws of Nature ſet down and inferred with ſo many Words, and ſo much ado, may think there is yet much more Difficulty and Subtilty required to acknowledge and do according to the ſaid Laws in every ſudden Occaſion, when a Man hath but a little Time to conſider: And while we conſider Man in moſt Paſſions, as of *Anger*, *Ambition*, *Covetouſneſs*, *Vain-Glory*, and the like, that tend to the excluding of natural Equality, it is true. But without theſe Paſſions, there is an eaſy Rule to know upon a ſudden, whether the Action I be to do, be againſt the Law of Nature or not. And it is but this; *That a Man imagine himſelf in the Place of the Party with whom he hath to do, and reciprocally him in his.* Which is no more but a changing (as it were) of the Scales. For every Man's Paſſion weigheth heavy in his own Scale, but not in the Scale of his Neighbour. And this Rule is very well known and expreſſed in this old Dictate, *Quod tibi fieri non vis, alteri ne feceris.*

10. Theſe Laws of Nature, the Sum whereof conſiſteth, in forbidding us to be our own Judges, and our own Carvers, and in commanding us to accommodate one another; in caſe they ſhould be obſerved by ſome, and not by others, would make the Obſervers but a Prey to them that ſhould neglect them, leaving the Good both without Defence againſt the Wicked, and alſo with a Charge to aſſiſt them: which is againſt the Scope of the Laws, that are made only for the Protection and Defence of them that keep them. Reaſon therefore, and the Law of Nature over and above all theſe particular Laws, doth dictate this Law in general, *That thoſe particular Laws be ſo far obſerved, as they ſubject us not to any Incommodity, that in our own Judgments may ariſe, by the Neglect thereof in thoſe towards whom we obſerve them*; and conſequently requireth no more but the Deſire and conſtant Intention to endeavour and be ready to obſerve them, unleſs there be Cauſe to the contrary in other Mens Refuſal to obſerve them towards us. The Force therefore of the Law of Nature, is not *in Foro externo*, till there be Security for Men to obey it, but is always *in Foro interno*, wherein the Action of Obedience being unſafe, the Will and Readineſs to perform is taken for the Performance.

11. Amongſt the Laws of Nature, Cuſtoms and Preſcriptions are not numbered. For whatſoever Action is againſt Reaſon, though it be reiterated never ſo often, or that there be never ſo many Precedents thereof, is ſtill againſt Reaſon, and therefore not a Law of Nature, but contrary to it. But Conſent and Covenant may ſo alter the Caſes, which in the Law of Nature may be put, by changing the Circumſtances, that that which was Reaſon before, may afterwards be againſt it; and yet is Reaſon ſtill the Law. For though every Man be bound to allow Equality to another, yet if that other ſhall ſee Cauſe to renounce the ſame, and make himſelf inferior, then, if from thenceforth he conſider him as inferior, he breaketh not thereby that Law of Nature, that commandeth to allow Equa-

lity. In ſum, *A Man's own Conſent may abridge him of the Liberty which the Law of Nature leaveth him, but Cuſtom not*; nor can either of them abrogate either theſe, or any other Law of Nature.

12. And foraſmuch as Law (to ſpeak properly) is a Command; and theſe Dictates, as they proceed from Nature, are not Commands; they are not therefore called Laws, in Reſpect of Nature, but in Reſpect of the Author of Nature, God Almighty.

13. And ſeeing the Laws of Nature concern the Conſcience, not he only breaketh them that doth any Action contrary, but alſo he whoſe Action is conformable to them, in caſe he think it contrary. For tho' the Action chance to be right, yet in his Judgment he deſpiſeth the Law.

14. Every Man by natural Paſſion, calleth that Good which pleaſeth him for the preſent, or ſo far forth as he can foreſee; and in like Manner, that which diſpleaſeth him, Evil. And therefore he that foreſeeth the whole Way to his Preſervation, (which is the End that every one by Nature aimeth at) muſt alſo call it Good, and the contrary Evil. And this is that Good and Evil, which not every Man in Paſſion calleth ſo, but all Men by Reaſon. And therefore the Fulfilling of all theſe Laws is good in Reaſon, and the breaking of them evil. And ſo alſo the Habit, or Diſpoſition, or Intention to fulfil them good; and the Neglect of them evil. And from hence cometh that Diſtinction of *Malum Pœnæ*, and *Malum Culpæ*; for *Malum Pœnæ* is any Pain or Moleſtation of the Mind whatſoever; but *Malum Culpæ* is that Action which is contrary to Reaſon, and the Law of Nature: As alſo the Habit of doing according to theſe and other Laws of Nature, that tend to our Preſervation, is what we call *Virtue*; and the Habit of doing the contrary, *Vice*. As for Example, Juſtice is that Habit by which we ſtand to Covenants, Injuſtice the contrary Vice; Equity that Habit by which we allow Equality of Nature, Arrogancy the contrary Vice; Gratitude the Habit whereby we requite the Benefit and Truſt of others, Ingratitude the contrary Vice; Temperance the Habit, by which we abſtain from all Things that tend to our Deſtruction, Intemperance the contrary Vice; Prudence the ſame with Virtue in general. As for the common Opinion, that Virtue conſiſteth in Mediocrity, and Vice in Extremes, I ſee no Ground for it, nor can find any ſuch Mediocrity. Courage may be Virtue, when the Daring is extreme, if the Cauſe be good; and extreme Fear no Vice, when the Danger is extreme. To give a Man more than his Due, is no Injuſtice, though it be to give him leſs: and in Gifts it is not the Sum that maketh Liberality, but the Reaſon. And ſo in all other Virtues and Vices. I know that this Doctrine of Mediocrity is *Ariſtotle*'s, but his Opinions concerning Virtue and Vice, are no other than thoſe, which were received then, and are ſtill by the Generality of Men, unſtudied, and therefore not very likely to be accurate.

15. The Sum of Virtue is to be ſociable to them who will be ſociable, and formidable to them that will not. And the ſame is the Sum of the Law of Nature: For in being ſociable, the Law of Nature taketh Place by the Way of Peace and Society; and to be formidable, is the Law of Nature in War, where to be feared is a Protection a Man hath from his own Power: and as the former conſiſteth in Actions of Equity and Juſtice, the latter conſiſteth in Actions of Honour. And Equity, Juſtice, and Honour, contain all Virtues whatſoever.

CHAP. V.

A Confirmation out of Holy Scripture of the principal Points mentioned in the two laſt Chapters concerning the Law of Nature.

1. THE Laws mentioned in the former Chapters, as they are called the Laws of Nature, for that they are the Dictates of Natural Reaſon; and alſo Moral Laws, becauſe they concern the Manners and Converſation of Men, one towards

wards another: ſo are they alſo Divine Laws in Reſpect of the Author thereof, God Almighty; and ought therefore to agree, or at leaſt, not to be repugnant to the Word of God revealed in Holy Scripture. In this Chapter therefore I ſhall produce ſuch Places of Scripture, as appear to be moſt conſonant to the ſaid Laws.

2. And firſt, the Word of God ſeemeth to place the Divine Law in Reaſon, by all ſuch Texts as aſcribe the ſame to the Heart and Underſtanding; as *Pſal.* xl. 8. *Thy Law is in my Heart.* Heb. viii. 10. *After thoſe Days, ſaith the Lord, I will put my Laws in their Mind:* And *Heb.* x. 16. The ſame, *Pſal.* xxxvii. 39. ſpeaking of the Righteous Man, he ſaith, *The Law of God is in his Heart.* Pſal. xix. 7, 8. *The Law of God is perfect, converting the Soul. It giveth Wiſdom to the Simple, and Light unto the Eyes.* Jer. xxxi. 33. *I will put my Law in their inward Parts, and write it in their Hearts.* And *John* i. the Law-giver himſelf, God Almighty, is called by the Name Λόγος, which is alſo called *ver.* 4. *The Light of Men*; and ver. 9. *The Light which lighteth every Man, which cometh into the World.* All which are Deſcriptions of Natural Reaſon.

3. And that the Law Divine, for ſo much as is Moral, are thoſe Precepts which tend to Peace, ſeemeth to be much confirmed by ſuch Places of Scripture as theſe, *Rom.* iii. 17. Righteouſneſs (which is the fulfilling of the Law) is called, *The Way of Peace.* And *Pſal.* lxxxv. 10. *Righteouſneſs and Peace ſhall kiſs each other.* And *Matth.* v. 9. *Bleſſed are the Peace-makers.* And *Heb.* vii. 2. *Melchiſedec King of Salem* is interpreted *King of Righteouſneſs,* and *King of Peace.* And ver. 21. our Saviour Chriſt is ſaid to be *a Prieſt for ever after the Order of Melchiſedec:* Out of which may be inferred, That the Doctrine of our Saviour Chriſt annexeth the fulfilling of the Law to Peace.

4. That the Law of Nature is unalterable, is intimated by this, That the Prieſthood of *Melchiſedec* is everlaſting; and by the Words of our Saviour, *Matth.* v. 18. *Heaven and Earth ſhall paſs away, but one Jot or Tittle of the Law ſhall not paſs till all Things be fulfilled.*

5. That Men ought to ſtand to their Covenants, is taught, *Pſal.* xv. where the Queſtion being aſked, ver. 1. *Lord who ſhall dwell in thy Tabernacle,* &c. it is anſwered, ver. 4. *He that ſweareth to his own Hindrance, and yet changeth not.* And that Men ought to be gratified, where no Covenant paſſeth, *Deut.* xxv. 4. *Thou ſhalt not muzzle the Ox that treadeth out the Corn,* which St. *Paul,* 1 *Cor.* ix. 9. interpreteth not of Oxen but of Men.

6. That Men content themſelves with Equality, as it is the Foundation of Natural Law, ſo alſo is it of the ſecond Table of the Divine Law, *Matth.* xxii. 39, 40. *Thou ſhalt love thy Neighbour as thyſelf. On theſe two Laws depend the whole Law and the Prophets*; which is not ſo to be underſtood, as that a Man ſhould ſtudy ſo much his Neighbour's Profit as his own, or that he ſhould divide his Goods amongſt his Neighbours; but that he ſhould eſteem his Neighbour worthy all Rights and Privileges that himſelf enjoyeth; and attribute unto him whatſoever he looketh ſhould be attributed unto himſelf: which is no more, but that he ſhould be humble, meek, and content with Equality.

7. And that in Diſtributing of Right amongſt Equals, that Diſtribution is to be made according to the Proportion of the Numbers, which is the giving of *æqualia æqualibus, & proportionalia proportionalibus*; we have, *Numb.* xxvi. 53, 54. the Commandment of God to *Moſes*; *Thou ſhalt divide the Land according to the Number of Names; to many thou ſhalt give more, to few thou ſhalt give leſs, to every one according to his Number.* That Deciſion by Lot is a Means of Peace, *Prov.* xviii. 18. *The Lot cauſeth Contention to ceaſe, and maketh Partition among the Mighty.*

8. That the Accommodation and Forgiveneſs of one another, which have before been put for Laws of Nature, are alſo Law Divine, there is no Queſtion. For they are the Eſſence of Charity, which is the Scope of the whole Law. That we ought not to reproach, or reprehend one another, is the Doctrine of our Saviour, *Matth.* vii. 1. *Judge not, that ye be not judged.* Ver. 3. *Why ſeeſt thou the Mote that*

that is in thy Brother's Eye, and ſeeſt not the Beam that is in thine own Eye? Alſo the Law that forbiddeth us to preſs our Counſel upon others further than they admit, is a Divine Law. For after our Charity and Deſire to rectify one another is rejected, to preſs it farther, is to reprehend him, and condemn him, which is forbidden in the Text laſt recited; as alſo *Rom.* xiv. 12. *Every one of us ſhall give Account of himſelf to God. Let us not therefore judge one another any more, but uſe your Judgment rather in this, that no Man put an Occaſion to fall, or a Stumbling Block before his Brother.*

9. Farther, the Rule of Men concerning the Law of Nature, *Quod tibi fieri non vis, alteri ne feceris,* is confirmed by the like, *Matth.* vii. 12. *Whatſoever therefore you would have Men do unto you, that do you unto them: for this is the Law and the Prophets.* And *Rom.* ii. 1. *In that thou judgeſt another, thou condemneſt thy ſelf,* &c.

10. It is alſo manifeſt by the Scriptures, that theſe Laws concern only the Tribunal of our Conſcience; and that the Actions contrary to them, ſhall be no farther puniſhed by God Almighty, than as they proceed from Negligence, or Contempt. And firſt, that theſe Laws are made to the Conſcience, appeareth, *Matth.* v. 20. *For I ſay unto you, Except your Righteouſneſs exceed the Righteouſneſs of the Scribes and Phariſees, ye ſhall not enter into the Kingdom of Heaven.* Now the Phariſees were the moſt exact amongſt the *Jews* in the external Performance; they therefore muſt want the Sincerity of Conſcience; elſe could not our Saviour have required a greater Righteouſneſs than theirs. For the ſame Reaſon our Saviour Chriſt ſaith, *The Publican departed from the Temple juſtified rather than the Phariſee.* And Chriſt ſaith, *His Yoke is eaſy, and his Burthen light*; which proceedeth from this, that Chriſt required no more than our beſt Endeavour. And *Rom.* xiv. 23. *He that doubteth, is condemned, if he eat.* And in innumerable Places both in the Old and New Teſtament, God Almighty declareth, that he taketh the Will for the Deed, both in good and evil Actions. By all which it plainly appears, that the Divine Law is dictated to the Conſcience. On the other ſide it is no leſs plain, that how many and heinous Actions ſoever a Man commit through Infirmity, he ſhall nevertheleſs, whenſoever he ſhall condemn the ſame in his own Conſcience, be freed from the Puniſhments that to ſuch Actions otherwiſe belong. For, *At what Time ſoever a Sinner doth repent him of his Sins from the Bottom of his Heart, I will put all his Iniquities out of my Remembrance, ſaith the Lord.*

11. Concerning Revenge, which by the Law of Nature ought not to aim (as I have ſaid, Chap. III. Sect. 10.) at preſent Delight, but future Profit, there is ſome Difficulty made, as if the ſame accorded not with the Law Divine, by ſuch as object the Continuance of Puniſhment after the Day of Judgment, when there ſhall be no Place, neither for Amendment, nor for Example. This Objection had been of ſome Force, if ſuch Puniſhment had been ordained after all Sins were paſt; but conſidering the Puniſhment was inſtituted before Sin, it ſerveth to the Benefit of Mankind, becauſe it keepeth Men in peaceable and virtuous Converſation by the Terror. And therefore ſuch Revenge was directed to the future only.

12. Finally, there is no Law of Natural Reaſon, that can be againſt the Law Divine: for God Almighty hath given Reaſon to a Man to be a Light unto him. And I hope it is no Impiety to think, that God Almighty will require a ſtrict Account thereof, at the Day of Judgment, as of the Inſtructions, which we were to follow in our Peregrination here, notwithſtanding the Oppoſition and Affronts of Supernaturaliſts now-a-days to rational and moral Converſation.

CHAP. VI.

1. *That Men, notwithſtanding theſe Laws, are ſtill in the State of War, till they have Security one againſt another.*
2. *The Law of Nature in War, is nothing but Honour.*
3. *No Security without the Concord of many.*
4. *That Concord of many cannot be maintained without Power to keep them all in Awe.*
5. *The Cauſe why Concord remaineth in a Multitude of ſome irrational Creatures, and not of Men.*
6. *That Union is neceſſary for the maintaining of Concord.*
7. *How Union is made.*
8. *Body Politic defined.*
9. *Corporation defined.*
10. *Sovereign and Subject defined.*
11. *Two Sorts of Bodies Politic, Patrimonial and Commonwealth.*

1. IN Chap. XII. Sect. 16. of the Treatiſe of *Human Nature*, it hath been ſhewed, that the Opinions Men have of the Rewards and Puniſhments which are to follow their Actions, are the Cauſes that make and govern the Will to thoſe Actions. In this Eſtate of Man therefore, wherein all Men are equal, and every Man allowed to be his own Judge, the Fears they have one of another are equal, and every Man's Hopes conſiſt in his own Sleight and Strength: and conſequently when any Man by his natural Paſſion is provoked to break theſe Laws of Nature, there is no Security in any other Man of his own Defence but *Anticipation*. And for this Cauſe, every Man's Right (howſoever he may be inclined to Peace) of doing whatſoever ſeemeth good in his own Eyes, remaineth with him ſtill, as the neceſſary Means of his Preſervation. And therefore till there be Security amongſt Men for the keeping of the Law of Nature one towards another, Men are ſtill in the Eſtate of War, and nothing is unlawful to any Man that tendeth to his own Safety or Commodity: And this Safety and Commodity conſiſteth in the mutual Aid and Help of one another, whereby alſo followeth the mutual Fear of one another.

2. It is a Proverbial Saying, *Inter Arma ſilent Leges*. There is little therefore to be ſaid concerning the Laws that Men are to obſerve one towards another in Time of War, wherein every Man's Being and Well-being is the Rule of his Actions. Yet thus much the Law of Nature commandeth in War, That Men ſatiate not the Cruelty of their preſent Paſſions, whereby in their own Conſcience they foreſee no Benefit to come. For that betrayeth not a Neceſſity, but a Diſpoſition of the Mind to War, which is againſt the Law of Nature. And in old Time we read, that Rapine was a Trade of Life, wherein nevertheleſs, many of them that uſed it, did not only ſpare the Lives of thoſe they invaded, but left them alſo ſuch Things as were neceſſary to preſerve that Life which they had given them; as namely their Oxen and Inſtruments for Tillage, though they carried away all their other Cattle and Subſtance. And as the Rapine itſelf was warranted in the Law of Nature, by the Want of Security otherwiſe to maintain themſelves; ſo the Exerciſe of Cruelty was forbidden by the ſame Law of Nature, unleſs Fear ſuggeſted any thing to the contrary. For nothing but Fear can juſtify the taking away of another's Life. And becauſe Fear can hardly be made manifeſt, but by ſome Action diſhonourable, that bewrayeth the Conſcience of one's own Weakneſs, all Men, in whom the Paſſion of Courage or Magnanimity have been predominant, have abſtained from Cruelty; inſomuch, that though there be in War no Law, the Breach whereof is Injury, yet there are in War thoſe Laws, the Breach whereof is Diſhonour. In one Word therefore, the only Law of Actions in War, is *Honour*; and the Right of War, *Providence*.

3. And ſeeing Natural Aid is neceſſary for Defence, as mutual Fear is neceſſary for Peace, we are to conſider how great Aids are required for ſuch Defence, and for the cauſing of ſuch mutual Fear, as Men may not eaſily adventure on one

another. And firſt it is evident, that the mutual Aid of two or three Men is of very little Security. For the Odds on the other ſide, of a Man or two, giveth ſufficient Encouragement to an Aſſault. And therefore before Men have ſufficient Security in the Help of one another, their Number muſt be ſo great, that the Odds of a few which the Enemy may have, be no certain and ſenſible Advantage.

4. And ſuppoſing how great a Number ſoever of Men aſſembled together for their mutual Defence, yet ſhall not the Effect follow, unleſs they all direct their Actions to one and the ſame End; which Direction to one and the ſame End is that which, Chap. XII. Sect. 7. is called *Conſent*. This *Conſent* (or Concord) amongſt ſo many Men, though it may be made by the Fear of a preſent Invader, or by the Hope of a preſent Conqueſt, or Booty, and endure as long as that Action endureth, nevertheleſs by the Diverſity of Judgments and Paſſions in ſo many Men contending naturally for Honour and Advantage one above another, it is impoſſible, not only that their Conſent to aid each other againſt an Enemy, but alſo that the Peace ſhould laſt between themſelves, without ſome mutual and common Fear to rule them.

5. But contrary hereunto may be objected, the Experience we have of certain living Creatures irrational, that nevertheleſs continually live in ſuch good Order and Government for their common Benefit, and are ſo free from Sedition and War amongſt themſelves, that for Peace, Profit, and Defence, nothing more can be imaginable. And the Experience we have in this, is in that little Creature the Bee, which is therefore reckoned amongſt *Animalia politica*. Why wherefore may not Men that foreſee the Benefit of Concord, continually maintain the ſame without Compulſion, as well as they? To which I anſwer, That amongſt other living Creatures, there is no Queſtion of Precedence in their own Species, nor Strife about Honour, or Acknowledgment of another's Wiſdom, as there is amongſt Men, from whence ariſe Envy and Hatred of one towards another, and from thence Sedition and War. Secondly, thoſe living Creatures aim every one at Peace and Food common to them all; Men aim at Dominion, Superiority, and private Wealth, which are diſtinct in every Man, and breed Contention. Thirdly, thoſe living Creatures that are without Reaſon, have not Learning enough to eſpy, or to think they eſpy any Defect in the Government; and therefore are contented therewith. But in a Multitude of Men, there are always ſome that think themſelves wiſer than the reſt, and ſtrive to alter what they think amiſs, and divers of them ſtrive to alter divers ways, and that cauſeth War. Fourthly, they want Speech, and are therefore unable to inſtigate one another to Faction, which Men want not. Fifthly, they have no Conception of Right and Wrong, but only of Pleaſure and Pain, and therefore alſo no Cenſure of one another, nor of their Commander, as long as they are themſelves at Eaſe; whereas Men that make themſelves Judges of Right and Wrong, are then leaſt at Quiet, when they are moſt at Eaſe. Laſtly, natural Concord, ſuch as is amongſt thoſe Creatures, is the Work of God by the Way of Nature; but Concord amongſt Men is artificial, and by Way of Covenant. And therefore no Wonder, if ſuch irrational Creatures as govern themſelves in Multitude, do it much more firmly than Mankind, that do it by arbitrary Inſtitution.

6. It remaineth therefore ſtill, that Conſent (by which I underſtand the Concurrence of many Mens Wills to one Action) is not ſufficient Security for their common Peace, without the Erection of ſome common Power, by the Fear whereof, they may be compelled both to keep the Peace amongſt themſelves, and to join their Strengths together againſt a common Enemy. And that this may be done, there is no Way imaginable, but only Union, which is defined Chap. XII. Sect. 8. to be the involving, or including the Wills of many in the Will of one Man, or in the Will of the greateſt Part of any one Number of Men, that is to ſay, in the Will of one Man, or of one *Council*. For a Council is nothing elſe, but an *Aſſembly* of Men deliberating concerning ſomething common to them all.

7. The making of Union conſiſteth in this; That every Man by Covenant oblige himſelf to ſome one and the ſame Man, or to ſome one and the ſame Council, by them all named and determined, to do thoſe Actions, which the ſaid Man or Council ſhall command them to do, and to do no Action, which he or they ſhall forbid, or command them not to do. And farther, in caſe it be a Council, whoſe Commands they covenant to obey; that then alſo they covenant, that every Man ſhall hold that for the Command of the whole Council, which is the Command of the greater Part of thoſe Men, whereof ſuch Council conſiſteth. And tho' the Will of Man being not voluntary, but the Beginning of voluntary Actions, is not ſubject to Deliberation and Covenant; yet when a Man covenanteth to ſubject his Will to the Command of another, he obligeth himſelf to this, that he reſign his Strength and Means to him, whom he covenanteth to obey. And hereby he that is to command, may by the Uſe of all their Means and Strength, be able by the Terror thereof to frame the Will of them all to Unity and Concord amongſt themſelves.

8. This Union ſo made, is that which Men call now-a-days *a Body Politic*, or Civil Society; and the *Greeks* call it Πόλις, that is to ſay, a City; which may be defined to be a Multitude of Men, united as one Perſon, by a common Power, for their common Peace, Defence and Benefit.

9. And as this Union into a City or Body Politic, is inſtituted with common Power over all the particular Perſons, or Members thereof, to the common Good of them all; ſo alſo may there be amongſt a Multitude of thoſe Members inſtituted, a ſubordinate Union of certain Men, for certain common Actions to be done by thoſe Men for ſome common Benefit of theirs, or of the whole City; as for ſubordinate Government, for Counſel, for Trade, and the like. And theſe ſubordinate Bodies Politic are uſually called *Corporations*; and their Power ſuch over the Particulars of their own Society, as the whole City, whereof they are Members, have allowed them.

10. In all Cities, or Bodies Politic not ſubordinate, but independent, that one Man, or one Council, to whom the particular Members have given that common Power, is called their *Sovereign*; and his Power, the Sovereign Power; which conſiſteth in the Power and the Strength, that every of the Members have transferred to him from themſelves by Covenant. And becauſe it is impoſſible for any Man really to transfer his own Strength to another, or for that other to receive it; it is to be underſtood, that to transfer a Man's Power and Strength, is no more but to lay by, or relinquiſh his own Right of reſiſting him to whom he ſo transferreth it. And every Member of the Body Politic, is called a *Subject*, to wit, to the *Sovereign*.

11. The Cauſe in general, which moveth a Man to become ſubject to another, is (as I have ſaid already) the Fear of not otherwiſe preſerving himſelf. And a Man may ſubject himſelf to him that invadeth, or may invade him, for Fear of him; or Men may join amongſt themſelves, to ſubject themſelves to ſuch as they ſhall agree upon for Fear of others. And when many Men ſubject themſelves the former Way, there ariſeth thence a Body Politic, as it were naturally. From whence proceedeth *Dominion*, *Paternal* and *Deſpotic*. And when they ſubject themſelves the other Way, by mutual Agreement amongſt many, the Body Politic they make, is for the moſt part called a Commonwealth, in Diſtinction from the former, though the Name be the general Name for them both. And I ſhall ſpeak in the firſt Place of Commonwealths, and afterwards of Bodies Politic, Patrimonial and Deſpotical.

THE

Second PART.

CHAP. I.

1. *Introduction.*
2. *A Multitude before their Union,* &c.
3. *Expreſs Conſent of every Particular,* &c.
4. *Democratical, Ariſtocratical and Monarchical Union may be inſtituted for ever, or,* &c.
5. *Without Security no private Right relinquiſhed.*
6. *Covenants of Government without Power of Coercion, are no Security.*
7. *Power Coercive,* &c.
8. *The Sword of War,* &c.
9. *Deciſion in all Debates,* &c. *annexed to the Sword.*
10. *Laws Civil,* &c.
11. *Appointment of Magiſtrates,* &c.
12. *Sovereign Power includeth Impunity.*
13. *A ſuppoſed Commonwealth, where Laws are made firſt, and the Commonwealth after.*
14. *The ſame refelled.*
15. *Mixt Forms of Government ſuppoſed in Sovereignty.*
16. *That refelled.*
17. *Mixt Government,* &c.
18. *Reaſon and Experience to prove abſolute Sovereignty ſomewhere in all Commonwealths.*
19. *Some principal,* &c. *Marks of Sovereignty.*

1. THAT Treatiſe of *Human Nature*, which was formerly printed, hath been wholly ſpent in the Conſideration of the natural Power, and the natural Eſtate of Man; namely, of his Cogitation and Paſſions in the firſt Eleven Chapters, and how from thence proceed his Actions; in the Twelfth, how Men know one another's Minds: In the laſt, in what Eſtate Mens Paſſions ſet them. In the firſt, ſecond, third, fourth, and fifth Chapters of the former Part of this Treatiſe is ſhewed, what Eſtate they are directed unto by the Dictates of Reaſon, that is to ſay, what be the principal Articles of the Law of Nature. And laſtly, how a Multitude of Perſons Natural, are united by Covenants into one Perſon Civil, or Body Politic. In this Part therefore ſhall be conſidered, the Nature of a Body Politic, and the Laws thereof, otherwiſe called Civil Laws. And whereas it hath been ſaid in the laſt Chapter, and laſt Section of the former Part, that there be two Ways of erecting a Body Politic; one by arbitrary Inſtitution of many Men aſſembled together, which is like a Creation out of nothing by Human Wit; the other by Compulſion, which is as it were a Generation thereof out of natural Force; I ſhall firſt ſpeak of ſuch Erection of a Body Politic, as proceedeth from the Aſſembly and Conſent of a Multitude.

2. Having in this Place to conſider, a Multitude of Men about to unite themſelves into a Body Politic for their Security, both againſt one another, and againſt

common Enemies, and that by Covenants; the Knowledge of what Covenants they muſt needs make, dependeth on the Knowledge of the Perſons, and the Knowledge of their End. Firſt, for their Perſons they are many, and (as yet) not one; nor can any Action done in a Multitude of People met together, be attributed to the Multitude, or truly called the Action of the Multitude, unleſs every Man's Hand, and every Man's Will, (not ſo much as one excepted) have concurred thereto. For Multitude, though in their Perſons they run together, yet they concur not always in their Deſigns. For even at that Time when Men are in Tumult, though they agree a Number of them to one Miſchief, and a Number of them to another; yet in the whole, they are amongſt themſelves in the State of Hoſtility, and not of Peace; like the ſeditious *Jews* beſieged in *Jeruſalem*, that could join againſt their Enemies, and fight amongſt themſelves. Whenſoever therefore any Man ſaith, that a Number of Men hath done any Act, it is to be underſtood, that every particular Man in that Number hath conſented thereunto, and not the greateſt Part only. Secondly, though thus aſſembled with Intention to unite themſelves, they are yet in that Eſtate in which every Man hath Right to every thing, and conſequently, as hath been ſaid, Chap. I. Sect. 10. in an Eſtate of enjoying nothing. And therefore *Meum* and *Tuum* hath no Place amongſt them.

3. The firſt Thing therefore they are to do, is expreſly every Man to conſent to ſomething, by which they may come near to their Ends, which can be nothing elſe imaginable, but this, that they allow the Wills of the major Part of their whole Number, or the Wills of the major Part of ſome certain Number of Men by them determined and named; or laſtly, the Will of ſome one Man, to involve and be taken for the Wills of every Man. And this done, they are united, and a *Body Politic*. And if the major Part of their whole Number be ſuppoſed to involve the Wills of all the Particulars, then are they ſaid to be a *Democracy*, that is to ſay, a Government wherein the whole Number, or ſo many of them as pleaſe, being aſſembled together, are the Sovereign, and every particular Man a Subject. If the major Part of a certain Number of Men named or diſtinguiſhed from the reſt, be ſuppoſed to involve the Wills of every one of the Particulars, then are they ſaid to be an *Oligarchy*, or *Ariſtocracy*, which two Words ſignify the ſame Thing, together with the divers Paſſions of thoſe that uſe them. For when the Men that be in that Office pleaſe, they are called an Ariſtocracy, or otherwiſe an Oligarchy, wherein thoſe, the major Part of which declare the Wills of the whole Multitude being aſſembled, are the Sovereign, and every Man ſeverally a Subject. Laſtly, if their Conſent be ſuch, that the Will of one Man, whom they name, ſhall ſtand for the Wills of them all, then is their Government or Union called a *Monarchy*, and that one Man a Sovereign, and every of the reſt a Subject.

4. And thoſe ſeveral Sorts of Unions, Governments, and Subjections of Man's Will, may be underſtood to be made, either abſolutely, that is to ſay, for all future Time, or for a Time limited only. But foraſmuch as we ſpeak here of a Body Politic, inſtituted for the perpetual Benefit and Defence of them that make it; which therefore Men deſire ſhould laſt for ever, I will omit to ſpeak of thoſe that be temporary, and conſider of thoſe that be for ever.

5. The End for which one Man giveth up, and relinquiſheth to another, or others, the Right of protecting and defending himſelf by his own Power, is the Security which he expecteth thereby, of Protection and Defence from thoſe to whom he doth ſo relinquiſh it; and a Man may then account himſelf in the Eſtate of Security, when he can foreſee no Violence to be done unto him, from which the Doer may not be deterred by the Power of that Sovereign, to whom they have every one ſubjected themſelves: and without that Security, there is no Reaſon for a Man to deprive himſelf of his own Advantages, and make himſelf a Prey to others. And therefore when there is not ſuch a Sovereign Power erected, as may afford this Security, it is to be underſtood, that every Man's Right of doing whatſoever ſeemeth good in his own Eyes, remaineth ſtill with him; and contrariwiſe, where any Subject hath Right by his own Judgment and Diſcretion, to make uſe

of his Force, it is to be underſtood, that every Man hath the like, and conſequently, that there is no Commonwealth at all eſtabliſhed. How far therefore in the making of a Commonwealth, Man ſubjecteth his Will to the Power of others, muſt appear from the End, namely, Security. For whatſoever is neceſſary to be by Covenant transferred, for the attaining thereof, ſo much is transferred, or elſe every Man is in his natural Liberty to ſecure himſelf.

6. Covenants agreed upon by every Man aſſembled for the making of a Commonwealth, and put in Writing without erecting of a Power of Coercion, are no reaſonable Security for any of them that ſo covenant, nor are to be called Laws, and leave Men ſtill in the Eſtate of Nature and Hoſtility. For ſeeing the Wills of moſt Men are governed only by Fear, and where there is no Power of Coercion there is no Fear, the Wills of moſt Men will follow their Paſſions of Covetouſneſs, Luſt, Anger, and the like, to the breaking of thoſe Covenants, whereby the reſt alſo, who otherwiſe would keep them, are ſet at Liberty, and have no Law, but from themſelves.

7. This Power of Coercion, as hath been ſaid, Chap. II. Sect. 3. of the former Part, conſiſteth in the transferring of every Man's Right of Reſiſtance againſt him, to whom he hath transferred the Power of Coercion. It followeth therefore, that no Man in any Commonwealth whatſoever, hath Right to reſiſt him, or them, on whom they have transferred this Power coercive, or (as Men uſe to call it) the Sword of Juſtice, ſuppoſing the Not-Reſiſtance poſſible. For Part I. Chap. II. Sect. 18. Covenants bind but to the utmoſt of our Endeavour.

8. And foraſmuch as they who are amongſt themſelves in Security, by the Means of this Sword of Juſtice, that keeps them all in Awe, are nevertheleſs in Danger of Enemies from without, if there be not ſome Means found to unite their Strengths and natural Forces, in the Reſiſtance of ſuch Enemies, their Peace amongſt themſelves is but in vain. And therefore it is to be underſtood as a Covenant of every Member to contribute their ſeveral Forces for the Defence of the whole, whereby to make one Power as ſufficient as is poſſible for their Defence. Now ſeeing that every Man hath already transferred the Uſe of his Strength to him, or them, that have the Sword of Juſtice, it followeth, that the Power of Defence, that is to ſay, the Sword of War, be in the ſame Hands wherein is the Sword of Juſtice; and conſequently thoſe two Swords are but one, and that inſeparably and eſſentially annexed to the ſovereign Power.

9. Moreover, ſeeing to have the Right of the Sword, is nothing elſe but to have the Uſe thereof depending only on the Judgment and Diſcretion of him or them that have it; it followeth, that the Power of Indenture in all Controverſies, wherein the Sword of Juſtice is to be uſed, and in all Deliberations concerning War, (wherein the Uſe of that Sword is required) the Right of reſolving and determining what is to be done, belong to the ſame Sovereign.

10. Farther, conſidering it is no leſs, but much more neceſſary to prevent Violence and Rapine, than to puniſh the ſame when it is committed; and all Violence proceedeth from Controverſies that ariſe between Men concerning *Meum* and *Tuum*, Right and Wrong, good and bad, and the like, which Men uſe every one to meaſure by their own Judgments; it belongeth alſo to the Judgment of the ſame ſovereign Power, to ſet forth and make known the common Meaſure by which every Man is to know what is his, and what another's; what is good, and what bad; and what he ought to do, and what not; and to command the ſame to be obſerved. And theſe Meaſures of the Actions of the Subjects are thoſe, which Men call *Laws Politic*, or Civil: The making whereof, muſt of Right belong to him that hath the Power of the Sword, by which Men are compelled to obſerve them; for otherwiſe they ſhould be made in vain.

11. Furthermore, ſeeing it is impoſſible that any one Man that hath ſuch ſovereign Power, can be able, in Perſon, to hear and determine all Controverſies, to be preſent at all Deliberations concerning common Good, and to execute and perform all thoſe common Actions that belong thereunto, whereby there will be

Neceſſity of Magiſtrates, and Miniſters of public Affairs; it is conſequent, that the Appointment, Nomination, and Limitation of the ſame, be underſtood as an inſeparable Part of the ſame Sovereignty, to which the Sum of all Judicature, and Execution, hath been already annexed.

12. And foraſmuch as the Right to uſe the Forces of every particular Member, is transferred from themſelves to their Sovereign, a Man will eaſily fall upon this Concluſion of himſelf, That to ſovereign Power (whatſoever it doth) there belongeth Impunity.

13. The Sum of theſe Rights of Sovereignty, namely, the abſolute Uſe of the Sword in Peace and War, the making and abrogating of Laws, *ſupreme Judicature and Deciſion* in all Debates judicial and deliberative, the Nomination of all Magiſtrates and Miniſters, with other Rights contained in the ſame, make the ſovereign Power no leſs abſolute in the Commonwealth, than before Commonwealth every Man was abſolute in himſelf, to do, or not to do, what he thought good; which Men, that have not had the Experience of that miſerable Eſtate, to which Men are reduced by long War, think ſo hard a Condition, that they cannot eaſily acknowledge ſuch Covenants, and Subjection on their Parts, as are here ſet down, to have been ever neceſſary to their Peace. And therefore ſome have imagined, that a Commonwealth may be conſtituted in ſuch Manner, as the ſovereign Power may be ſo limited and moderated, as they ſhall think fit themſelves. For Example, They ſuppoſe a Multitude of Men to have agreed upon certain Articles, (which they preſently call Laws) declaring how they will be governed, and that done, to agree farther upon ſome Man, or Number of Men, to ſee the ſame Articles performed, and put in execution; and to enable him or them thereunto, they allot unto them a Proviſion limited, as of certain Lands, Taxes, Penalties, and the like, than which (if miſ-ſpent) they ſhall have no more, without a new Conſent of the ſame Men that allowed the former. And thus they think they have made a Commonwealth, in which it is unlawful for any private Man to make uſe of his own Sword for his Security; wherein they deceive themſelves.

14. For firſt, if to the Revenue, it did neceſſarily follow, that there might be Forces raiſed and procured at the Will of him that hath ſuch Revenue; yet ſince the Revenue is limited, ſo muſt alſo the Forces: but limited Forces againſt the Power of an Enemy, which we cannot limit, are unſufficient. Whenſoever therefore there happeneth an Invaſion greater than thoſe Forces are able to reſiſt, and there be no other Right to levy more, then is every Man by Neceſſity of Nature allowed to make the beſt Proviſion he can for himſelf; and thus is the private Sword, and the Eſtate of War again reduced. But ſeeing Revenue, without the Right of commanding Men, is of no Uſe, neither in Peace, nor War, it is neceſſary to be ſuppoſed, that he that hath the Adminiſtration of thoſe Articles, which are in the former Section ſuppoſed, muſt have alſo Right to make uſe of the Strengths of particular Men. And what Reaſon ſoever giveth him that Right over any one, giveth him the ſame over all. And then is his Right abſolute. For he that hath Right to all their Forces, hath Right to diſpoſe of the ſame. Again, ſuppoſing thoſe limited Forces and Revenue, either by the neceſſary or negligent Uſe of them to fail, and that for a Supply, the ſame Multitude be again to be aſſembled, who ſhall have Power to aſſemble them, that is, to compel them to come together? If he that demandeth the Supply hath that Right, to wit, the Right to compel them all, then is his Sovereignty abſolute; if not, then is every particular Man at Liberty to come or not; to frame a new Commonwealth, or not, and ſo the Right of the private Sword returneth. But ſuppoſe them willingly, and of their own Accord, aſſembled to conſider of this Supply, if now it be ſtill in their Choice, whether they ſhall give it, or not, it is alſo in their Choice, whether the Commonwealth ſhall ſtand or not. And therefore there lieth not upon any of them any Civil Obligation that may hinder them from uſing Force, in caſe they think it tend to their Defence. This Device therefore

of them that will make Civil Laws firſt, and then a Civil Body afterwards (as if Policy made a Body Politic, and not a Body Politic made Policy) is of no Effect.

15. Others, to avoid the hard Condition, as they take it, of abſolute Subjection (which in Hatred thereto they alſo call Slavery) have deſpiſed a Government, as they think, mixed of three Sorts of Sovereignty. As for Example; They ſuppoſe the Power of making Laws, given to ſome great Aſſembly Democratical, the Power of Judicature to ſome other Aſſembly, and the Adminiſtration of the Laws to a Third, or to ſome one Man; and this Policy they call mixt Monarchy, or mixt Ariſtocracy, or mixt Democracy, according as any of theſe three Sorts do moſt viſibly predominate. And in this Eſtate of Government, they think the Uſe of the Private Sword excluded.

16. And ſuppoſing it were ſo, How were this Condition which they call *Slavery*, eaſed thereby? For in this Eſtate they would have no Man allowed, either to be his own Judge or own Carver, or to make any Laws unto himſelf; and as long as theſe three agree, they are as abſolutely ſubject to them, as is a Child to the Father, or a Slave to the Maſter, in the State of Nature. The Eaſe therefore of this Subjection, muſt conſiſt in the Diſagreement of thoſe amongſt whom they have diſtributed the Rights of Sovereign Power. But the ſame Diſagreement is War. The Diviſion therefore of the Sovereignty, either worketh no Effect to the taking away of ſimple Subjection, or introduceth War, wherein the Private Sword hath Place again. But the Truth is, as hath been already ſhewed in the ſeventh, eighth, ninth, tenth, eleventh, and twelfth precedent Sections, the Sovereignty is indiviſible: and that ſeeming Mixture of ſeveral Kinds of Government, is not Mixture of the Things themſelves, but Confuſion in our Underſtandings, that cannot find out readily to whom we have ſubjected ourſelves.

17. But though the Sovereignty be not mixt, but be always ſimple Democracy, or ſimple Ariſtocracy, or pure Monarchy; nevertheleſs in the Adminiſtration thereof, all thoſe Sorts of Government may have Place ſubordinate. For ſuppoſe the Sovereign Power be Democracy, as it was ſometimes in *Rome*, yet at the ſame Time they may have a Council Ariſtocratical, ſuch as was the Senate; and at the ſame Time they may have a Subordinate Monarch, ſuch as was their Dictator, who had, for a Time, the Exerciſe of the whole Sovereignty; and ſuch as are all Generals in War. So alſo in Monarchy there may be a Council Ariſtocratical of Men, choſen by the Monarch; or Democratical of Men, choſen by the Conſent (the Monarch permitting) of all the particular Men of the Commonwealth. And this Mixture is it that impoſeth, as if it were the Mixture of Sovereignty. As if a Man ſhould think, becauſe the Great Council of *Venice* doth nothing ordinarily but chuſe Magiſtrates, Miniſters of State, Captains and Governors of Towns, Ambaſſadors, Counſellors, and the like, that therefore their Part of the Sovereignty is only chuſing of Magiſtrates; and that the making of War, and Peace, and Laws, were not theirs, but the Part of ſuch Counſellors as they appointed thereto: whereas it is the Part of *theſe* to do it but ſubordinately, the ſupreme Authority thereof being in the great Council that chuſe them.

18. And as Reaſon teacheth us, that a Man conſidered out of Subjection to Laws, and out of all Covenants obligatory to others, is free to do and undo, and deliberate as long as he liſteth, every Member being obedient to the Will of the whole Man, that Liberty being nothing elſe but his Natural Power, without which, he is no better than an inanimate Creature, not able to help himſelf: So alſo it teacheth us, That a Body Politic, of what Kind ſoever, not ſubject to another, nor obliged by Covenants, ought to be free, and in all Actions to be aſſiſted by the Members, every one in their Place, or at leaſt not reſiſted by them. For otherwiſe, the Power of a Body Politic (the Eſſence whereof is the Not-Reſiſtance of the Members) is none, nor a Body Politic of any Benefit. And the ſame is confirmed by the Uſe of all Nations and Commonwealths, wherein that Man or Council which is virtually the whole, hath an abſolute Power over every

particular Member: Or what Nation or Commonwealth is there, that hath not Power and Right to conſtitute a General in their Wars? But the Power of a General is abſolute; and conſequently there was abſolute Power in the Commonwealth, from whom it was derived. For no Perſon, Natural or Civil, can tranſfer unto another more Power than himſelf hath.

19. In every Commonwealth, where particular Men are deprived of their Right to protect themſelves, there reſideth an abſolute Sovereignty, as I have already ſhewed. But in what Man, or in what Aſſembly of Men the ſame is placed, is not ſo manifeſt, as not to need ſome Marks, whereby it may be diſcerned. And firſt, it is an infallible Mark of abſolute Sovereignty in a Man, or in an Aſſembly of Men, if there be no Right in any other Perſon, Natural or Civil, to puniſh that Man, or diſſolve that Aſſembly. For he that cannot of Right be puniſhed, cannot of Right be reſiſted; and he that cannot of Right be reſiſted, hath coercive Power over all the reſt, and thereby can frame and govern their Actions at his Pleaſure, which is abſolute Sovereignty. Contrariwiſe, he that in a Commonwealth is puniſhable by any, or that Aſſembly that is diſſolvable, is not Sovereign. For a greater Power is always required to puniſh and diſſolve, than theirs who are puniſhed or diſſolved; and that Power cannot be called Sovereign, than which there is a greater. Secondly, that Man or Aſſembly, that by their own Right not derived from the preſent Right of any other, may make Laws, or abrogate them at his or their Pleaſure, have the Sovereignty abſolute. For ſeeing the Laws they make, are ſuppoſed to be made by Right, the Members of the Commonwealth, to whom they are made, are obliged to obey them, and conſequently not reſiſt the Execution of them; which Not-Reſiſtance maketh the Power abſolute of him that ordaineth them. It is likewiſe a Mark of this Sovereignty, to have the Right original of appointing Magiſtrates, Judges, Counſellors, and Miniſters of State. For without that Power, no Act of Sovereignty, or Government, can be performed. Laſtly, and generally, whoſoever by his own Authority independent, can do any Act, which another of the ſame Commonwealth may not, muſt needs be underſtood to have the Sovereign Power. For by Nature Men have equal Right. This Inequality therefore muſt proceed from the Power of the Commonwealth. He therefore that doth any Act lawfully by his own Authority, which another may not, doth it by the Power of the Commonwealth in himſelf, which is abſolute Sovereignty.

CHAP. II.

1. *Democracy precedeth all other*, &c.
2. *The Sovereign People covenanteth not with the Subjects.*
3. *The Sovereign*, &c. *cannot*, &c. *do Injury*, &c.
4. *The Faults of the Sovereign People*, &c.
5. *Democracy*, &c. *an Ariſtocracy of Orators.*
6. *Ariſtocracy how made.*
7. *The Body of the* Optimates *not properly ſaid to injure the Subjects.*
8. *The Election of the* Optimates, *&c.*
9. *An Elective King*, &c.
10. *A Conditional King*, &c.
11. *The Word People Equivocal.*
12. *Obedience diſcharged by Releaſe*, &c.
13. *How ſuch Releaſes are to be underſtood.*
14. *Obedience diſcharged by Exile.*
15. *By Conqueſt.*
16. *By Ignorance of the Right of Succeſſion.*

1. HAVING ſpoken in general concerning inſtituted Policy in the former Chapter, I come in this to ſpeak of the Sorts thereof in ſpecial, how every of them is inſtituted. The firſt in Order of Time of theſe three Sorts is Democracy; and it muſt be ſo of Neceſſity, becauſe Ariſtocracy and a Monarchy require Nomination of Perſons agreed upon, which Agreement in a great Multi-

tude of Men, muſt conſiſt in the Conſent of the major Part; and where the Votes of the major Part involve the Votes of the reſt, there is actually a Democracy.

2. In the making of a Democracy, there paſſeth no Covenant between the Sovereign and any Subject. For while the Democracy is a making, there is no Sovereign with whom to contract. For it cannot be imagined, that the Multitude ſhould contract with itſelf, or with any one Man, or Number of Men, Parcel of itſelf, to make itſelf Sovereign; nor that a Multitude conſidered as one Aggregate, can give itſelf any thing which before it had not. Seeing then that Sovereignty Democratical is not conferred by the Covenant of any Multitude, which ſuppoſeth Union and Sovereignty already made, it reſteth, that the ſame be conferred by the particular Covenants of every ſeveral Man; that is to ſay, every Man with every Man, for and in Conſideration of the Benefit of his own Peace and Defence, covenanteth to ſtand to and obey whatſoever the major Part of their whole Number, or the major Part of ſuch a Number of them, as ſhall be pleaſed to aſſemble at a certain Time and Place, ſhall determine and command. And this is that which giveth Birth to a Democracy, wherein the Sovereign Aſſembly was called of the *Greeks* by the Name of *Demus*, (that is, the People,) from whence cometh Democracy. So that, where to the ſupreme and independent Court every Man may come that will, and give his Vote, there the Sovereign is called the People.

3. Out of this that hath been ſaid may readily be drawn, That whatſoever the People doth to any one particular Member or Subject of the Commonwealth, the ſame by him ought not to be ſtiled Injury. For firſt, Injury (by the Definition, Part I. Chap. III. Sect. 2.) is Breach of Covenant; but Covenants (as hath been ſaid in the precedent Section) there paſſed none from the People to any private Man; and conſequently it (to wit, the People) can do him no Injury. Secondly, how unjuſt ſoever the Action be, that this Sovereign *Demus* ſhall do, is done by the Will of every particular Man ſubject to him, who are therefore guilty of the ſame. If therefore they ſtile it *Injury*, they but accuſe themſelves. And it is againſt Reaſon for the ſame Man, both to do and complain; implying this Contradiction, That whereas he firſt ratified the People's Acts in general, he now diſalloweth the ſame of them in particular. It is therefore ſaid truly, *Volenti non fit Injuria*. Nevertheleſs, nothing doth hinder, but that divers Actions done by the People, may be unjuſt before God Almighty, as Breaches of the Laws of Nature.

4. And when it happeneth, that the People by Plurality of Voices, decree or command any Thing contrary to the Law of God or Nature, though the Decree and Command be the Act of every Man, not only preſent in the Aſſembly, but alſo abſent from it; yet is not the Injuſtice of the Decree, the Injuſtice of every particular Man, but only of thoſe Men, by whoſe expreſs Suffrages the Decree or Command was paſſed. For a Body Politic, as it is a fictitious Body, ſo are the Faculties and Will thereof fictitious alſo. But to make a particular Man unjuſt, which conſiſteth of a Body and Soul natural, there is required a natural and very Will.

5. In all Democracies, though the Right of Sovereignty be in the Aſſembly, which is virtually the whole Body; yet the Uſe thereof is always in one, or a few particular Men. For in ſuch great Aſſemblies, as thoſe muſt be, whereinto every Man may enter at his Pleaſure; there are no Means or Ways to deliberate and give Counſel what to do, but by long and ſet Orations, whereby to every Man there is more or leſs Hope given, to incline and ſway the Aſſembly to their own Ends. In a Multitude of Speakers therefore, where always either one is eminent alone, or a few being equal amongſt themſelves, are eminent above the reſt, that one or few muſt of Neceſſity ſway the whole. Inſomuch that a Democracy, in Effect, is no more than an Ariſtocracy of Orators, interrupted ſometimes with the temporary Monarchy of one Orator.

6. And ſeeing a Democracy is by Inſtitution, the Beginning both of Ariſtocracy and Monarchy, we are to conſider next, how Ariſtocracy is derived from it. When the particular Members of the Commonwealth, growing weary of Attendance at public Courts, as dwelling far off, or being attentive to their private Buſineſſes, and withal, diſpleaſed with the Government of the People, aſſemble themſelves to make an Ariſtocracy, there is no more required to the making thereof, but putting to the Queſtion one by one, the Names of ſuch Men as it ſhall conſiſt of, and aſſenting to their Election; and by Plurality of Vote, to transfer that Power, which before the People had, to the Number of Men ſo named and choſen.

7. And from this manner of erecting an Ariſtocracy, it is manifeſt, that the Few, or *Optimates*, have entered into no Covenant with any of the particular Members of the Commonwealth, whereof they are Sovereign; and conſequently cannot do any Thing to any private Man, that can be called *Injury* to him, howſoever their Act be wicked before Almighty God, according to that which hath been ſaid before, Sect. 3. Farther, it is impoſſible that the People, as one Body Politic, ſhould covenant with the Ariſtocracy or *Optimates*, on whom they intend to transfer their Sovereignty. For no ſooner is the Ariſtocracy erected, but the Democracy is annihilated, and the Covenants made unto them void.

8. In all Ariſtocracies, the Admiſſion of ſuch, as are from Time to Time to have Vote in the ſovereign Aſſembly, dependeth on the Will and Decree of the preſent *Optimates*. For they being the Sovereign, have the Nomination (by the 11th Section of the former Chapter) of all Magiſtrates, Miniſters, and Counſellors of State whatſoever, and may therefore chuſe either to make them elective, or hereditary, at their Pleaſure.

9. Out of the ſame Democracy, the Inſtitution of a Political Monarch proceedeth in the ſame manner, as did the Inſtitution of the Ariſtocracy, to wit, by a Decree of the ſovereign People, to paſs the Sovereignty to one Man named and approved by Plurality of Suffrage. And if this Sovereignty be truly and indeed transferred, the Eſtate or Commonwealth is an abſolute Monarchy, wherein the Monarch is at Liberty to diſpoſe as well of the Succeſſion, as of the Poſſeſſion, and not an elective Kingdom. For ſuppoſe a Decree be made firſt in this manner, That ſuch a one ſhall have the Sovereignty for his Life, and that afterward they will chuſe a-new. In this Caſe the Power of the People is diſſolved, or not; if diſſolved, then after the Death of him that is choſen, there is no Man bound to ſtand to the Decrees of them that ſhall, as private Men, run together to make a new Election; and conſequently, if there be any Man, who by the Advantage of him that is dead, hath Strength enough to hold the Multitude in Peace and Obedience, he may lawfully, or rather is by the Law of Nature obliged ſo to do: If this Power of the People were not diſſolved at the chuſing of their King for Life, then is the People Sovereign ſtill, and the King a Miniſter thereof only, but ſo, as to put the whole Sovereignty in Execution; a Great Miniſter, but no otherwiſe for his Time, than a Dictator was in *Rome*. In this Caſe, at the Death of him that was choſen, they that meet for a new Election, have no new, but their old Authority for the ſame. For they were the Sovereign all the Time, as appeareth by the Acts of thoſe Elective Kings, that have procured from the People, that their Children might ſucceed them. For it is to be underſtood, when a Man receiveth any Thing from the Authority of the People, he receiveth it not from the People his Subjects, but from the People his Sovereign. And farther, though in the Election of a King for his Life, the People grant him the Exerciſe of their Sovereignty for that Time; yet if they ſee Cauſe, they may recall the ſame before the Time. As a Prince that conferreth an Office for Life, may nevertheleſs upon Suſpicion of Abuſe thereof, recall it at his Pleaſure; inaſmuch as Offices that require Labour and Care, are underſtood to paſs from him that giveth them as *Onera*, *Burthens*, to them that have them; the recalling whereof are therefore not *Injury*, but *Favour*. Nevertheleſs, if in making an Elective King, with In-

tention to reſerve the Sovereignty, they reſerve not a Power at certain known and determined Times and Places to aſſemble themſelves, the Reſervation of their Sovereignty is of no Effect, inaſmuch as no Man is bound to ſtand to the Decrees and Determinations of thoſe that aſſemble themſelves without the ſovereign Authority.

10. In the former Section is ſhewed, that Elective Kings that exerciſe their Sovereignty for a Time, which determines with their Life, either are Subjects; and that is, when the People in Election of them, reſerve unto themſelves the Right of aſſembling at certain Times and Places limited and made known; or elſe abſolute Sovereigns, to diſpoſe of the Succeſſion at their Pleaſure, and that is, when the People in their Election have declared no Time nor Place of their Meeting, or have left it to the Power of the Elected King, to aſſemble and diſſolve them at ſuch Times, as he himſelf ſhall think good. There is another Kind of Limitation of Time to him that ſhall be elected to uſe the Sovereign Power, (which whether it hath been practiſed any where, or not, I know not, but it may be imagined, and hath been objected againſt the Rigour of Sovereign Power) and it is this, that the People transfer their Sovereignty upon Conditions. As for Example, For ſo long as he ſhall obſerve ſuch and ſuch Laws as they then preſcribe him. And here as before in elected Kings, the Queſtion is to be made, Whether in the Electing of ſuch a Sovereign, they reſerved to themſelves a Right of aſſembling at Times and Places limited and known, or not; if not, then is the Sovereignty of the People diſſolved, and they have neither Power to judge of the Breach of the Conditions given him, nor to command any Forces for the Depoſing of him, whom on that Condition they had ſet up, but are in the Eſtate of War amongſt themſelves, as they were before they made themſelves a Democracy: and conſequently, if he that is elected, by the Advantage of the Poſſeſſion he hath of the Public Means, be able to compel them to Unity and Obedience, he hath not only the Right of Nature to warrant him, but the Law of Nature to oblige him thereunto. But if in Electing him, they reſerved to themſelves a Right of Aſſembling, and appointed certain Times and Places to that Purpoſe, then are they Sovereign ſtill, and may call their conditional King to Account at their Pleaſure, and deprive him of his Government, if they judge he deſerve it, either by Breach of the Condition ſet him, or otherwiſe. For the Sovereign Power can by no Covenant with a Subject be bound to continue him in the Charge he undergoeth by their Command, as a Burden impoſed not particularly for his Good, but for the Good of the Sovereign People.

11. The Controverſies that ariſe concerning the Right of the People, proceed from the Equivocation of the Word. For the Word People, hath a double Signification. In one Senſe it ſignifieth only a Number of Men, diſtinguiſhed by the Place of their Habitation; as the *People* of *England*, or the *People* of *France*; which is no more, but the Multitude of thoſe particular Perſons that inhabit thoſe Regions, without Conſideration of any Contracts or Covenants amongſt them, by which any one of them is obliged to the reſt. In another Senſe, it ſignifieth a Perſon Civil, that is to ſay, either one Man, or one Council, in the Will whereof is included and involved the Will of every one in particular. As for Example, In this latter Senſe, the Lower Houſe of Parliament is all the Commons, as long as they ſit there with Authority and Right thereto; but after they be diſſolved, though they remain, they be no more the People, nor the Commons, but only the Aggregate, or Multitude of the particular Men there ſitting, how well ſoever they agree, or concur, in Opinions amongſt themſelves; whereupon, they that do not diſtinguiſh between theſe two Significations, do uſually attribute ſuch Rights to a diſſolved Multitude, as belong only to the People virtually contained in the Body of the Commonwealth or Sovereignty. And when a great Number of their own Authority flock together in any Nation, they uſually give them the Name of the whole Nation. In which Senſe they ſay, the People rebelleth, or the People demandeth, when it is no more than a diſſolved Multitude, of

which, though any one Man may be ſaid to demand or have Right to ſomething, yet the Heap, or Multitude, cannot be ſaid to demand or have Right to any thing. For where every Man hath his Right diſtinct, there is nothing left for the Multitude to have Right unto: and when the Particulars ſay, This is Mine, This is Thine, and This is His, and have ſhared all amongſt them, there can be nothing whereof the Multitude can ſay, This is Mine; nor are they One Body, as behoveth them to be, that demand any Thing under the Name of Mine, or His: And when they ſay Ours, every Man is underſtood to pretend in ſeveral, and not the Multitude. On the other ſide, when the Multitude is united into a Body Politic, and thereby are a People in the other Signification, and their Wills virtually in the Sovereign, there the Rights and Demands of the Particulars do ceaſe; and he or they that have the Sovereign Power, doth for them all, demand, and vindicate under the Name of His, that which before they called in the Plural, Theirs.

12. We have ſeen how particular Men enter into Subjection, by transferring their Rights; it followeth to conſider, how ſuch Subjection may be diſcharged. And firſt, if he or they that have the Sovereign Power ſhall relinquiſh the ſame voluntarily, there is no Doubt, but every Man is again at Liberty to obey, or not. Likewiſe, if he or they retaining the Sovereignty over the reſt, do nevertheleſs exempt ſome one or more from their Subjection, every Man ſo exempted is diſcharged. For he or they to whom any Man is obliged, hath the Power to releaſe him.

13. And here it is to be underſtood, that when he or they that have the ſovereign Power, give ſuch Exemption or Privilege, to a Subject, as is not ſeparable from the Sovereignty, and nevertheleſs directly retaineth the ſovereign Power, not knowing the Conſequence of the Privilege they grant, the Perſon or Perſons exempted or privileged, are not thereby releaſed. For in contradictory Significations of the Will, Part I. Chap. XIII. Sect. 9. that which is directly ſignified, is to be underſtood for the Will, before that which is drawn from it by Conſequence.

14. Alſo Exile perpetual, is a Releaſe of Subjection, foraſmuch as being out of the Protection of the Sovereignty that expelled him, he hath no Means of ſubſiſting but from himſelf. Now every Man may lawfully defend himſelf, that hath no other Defence; elſe there had been no Neceſſity that any Man ſhould enter into voluntary Subjection, as they do in Commonwealths.

15. Likewiſe a Man is releaſed of his Subjection by Conqueſt. For when it cometh to paſs, that the Power of a Commonwealth is overthrown, and any particular Man thereby lying under the Sword of his Enemy, yieldeth himſelf Captive, he is thereby bound to ſerve him that taketh him, and conſequently diſcharged of his Obligation to the former. For no Man can ſerve two Maſters.

16. Laſtly, Ignorance of Succeſſion diſchargeth Obedience. For no Man can be underſtood to be obliged to obey he knoweth not whom.

CHAP III.

1. 2. *Titles to Dominion*; *Maſter and Servant*, &c.
3. *Chains and other*, &c. *Bonds*, &c. *Slave defined.*
4. *Servants have no Property againſt their Lord*, &c.
5. *The Maſter hath Right to alienate his Servant.*
6. *The Servant of the Servant*, &c.
7. *How Servitude is diſcharged.*
8. *The middle Lord*, &c.
9. *The Title of Man*, &c. *over Beaſts.*

1. HAVING ſet forth in the two preceding Chapters, the Nature of a Commonwealth *inſtitutive* by the Conſent of many Men together, I come now to ſpeak of Dominion, or a Body Politic by Acquiſition, which is commonly called a *Patrimonial* Kingdom. But before I enter thereinto, it is neceſſary to

make known upon what Title one Man may acquire Right, that is to ſay, Property or Dominion over the Perſon of another. For when one Man hath Dominion over another, there is a little Kingdom. And to be a King by Acquiſition, is nothing elſe but to have acquired a Right or Dominion over many.

2. Conſidering Men therefore again in the State of Nature, without Covenants or Subjection one to another, as if they were but even now all at once created Male and Female, there be three Titles only, by which one Man may have Right and Dominion over another; whereof two may take place preſently, and thoſe are, voluntary Offer of Subjection, and yielding by Compulſion: the third is to take place, upon the Suppoſition of Children begotten amongſt them. Concerning the firſt of theſe three Titles, it is handled before in the two laſt Chapters. For from thence cometh the Right of Sovereigns over the Subjects in a Commonwealth inſtitutive. Concerning the ſecond Title, (which is when a Man ſubmitteth to an Aſſailant for fear of Death) thereby accrueth a Right of Dominion. For where every Man (as it happeneth in this Caſe) hath Right to all Things, there needs no more for the making of the ſaid Right effectual, but a Covenant from him that is overcome, not to reſiſt him that overcometh. And thus cometh the Victor to have Right of abſolute Dominion over the Conquered. By which there is preſently conſtituted a little Body politic, which conſiſteth of two Perſons, the one Sovereign, which is called the *Maſter*, or Lord; the other Subject, which is called the *Servant*. And when a Man hath acquired Right over a Number of Servants ſo conſiderable, as they cannot by their Neighbours be ſecurely invaded, this Body politic is a Kingdom deſpotical.

3. And it is to be underſtood, that when a Servant taken in the Wars, is kept bound in natural Bonds, as Chains and the like, or in Priſon, there hath paſſed no Covenant from the Servant to his Maſter. For thoſe natural Bonds have no need of ſtrengthening by the verbal Bonds of Covenant, and they ſhew that the Servant is not truſted. But Covenant (Part. I. Chap. XV. Sect. 9.) ſuppoſeth Truſt. There remaineth therefore in the Servant thus kept bound, or in Priſon, a Right of delivering himſelf, if he can, by what Means ſoever. This kind of Servant is that which ordinarily, and without Paſſion, is called a *Slave*. The *Romans* had no ſuch diſtinct Name, but comprehended all under the Name of *Servus*; whereof ſuch as they loved and durſt truſt, were ſuffered to go at Liberty, and admitted to Places of Office, both near to their Perſons, and in their Affairs abroad; the reſt were kept chained, or otherwiſe reſtrained with natural Impediments to their Reſiſtance. And as it was amongſt the *Romans*, ſo it was amongſt other Nations, the former ſort having no other Bond but a ſuppoſed Covenant, without which the Maſter had no reaſon to truſt them; the latter being without Covenant, and no otherwiſe tied to Obedience, but by Chains, and other like forcible Cuſtody.

4. A Maſter therefore is to be ſuppoſed to have no leſs Right over thoſe, whoſe Bodies he leaveth at Liberty, than over thoſe he keepeth in Bonds and Impriſonment, and hath abſolute Dominion over both, and may ſay of his Servant, that he is his, as he may of any other Thing: And whatſoever the Servant had, and might call his, is now the Maſter's; for he that diſpoſeth of the Perſon, diſpoſeth of all the Perſon could diſpoſe of: inſomuch, as though there be *Meum & Tuum* amongſt Servants diſtinct from one another by the Diſpenſation, and for the Benefit of their Maſter; yet there is no *Meum & Tuum* belonging to any of them againſt the Maſter himſelf, whom they are not to reſiſt, but to obey all his Commands as Law.

5. And ſeeing both the Servant and all that is committed to him, is the Property of the Maſter, and every Man may diſpoſe of his own, and transfer the ſame at his Pleaſure, the Maſter may therefore alienate his Dominion over them, or give the ſame by his laſt Will to whom he liſt.

6. And if it happen, that the Maſter himſelf by Captivity or voluntary Subjection, become Servant to another, then is that other Maſter *paramount*; and thoſe

Servants of him that becometh Servant, are no farther obliged, than their Maſter paramount ſhall think good; foraſmuch as he diſpoſing of the Maſter ſubordinate, diſpoſeth of all he hath, and conſequently of his Servants. So that the Reſtriction of abſolute Power in Maſters, proceedeth not from the Law of Nature, but from the political Law of him that is their Maſter ſupreme or ſovereign.

7. Servants immediate to the ſupreme Maſter, are diſcharged of their Servitude, or Subjection, in the ſame manner that Subjects are releaſed of their Allegiance in a Commonwealth inſtitutive. As firſt, by Releaſe. For he that captiveth, (which is done by accepting what the Captive transferreth to him) ſetteth again at Liberty, by transferring back the ſame. And this Kind of Releaſe is called *Manumiſſion.* Secondly, by Exile. For that is no more but Manumiſſion given to a Servant, not in the Way of Benefit, but Puniſhment. Thirdly, by a new Captivity, where the Servant having done his Endeavour to defend himſelf, hath thereby performed his Covenant to his former Maſter, and for the Safety of his Life, entring into new Covenant with the Conqueror, is bound to do his beſt Endeavour to keep that likewiſe. Fourthly, Ignorance of who is Succeſſor to his deceaſed Maſter, diſchargeth him of Obedience: for no Covenant holdeth longer than a Man knoweth to whom he is to perform it. And laſtly, that Servant that is no longer truſted, but committed to his Chains and Cuſtody, is thereby diſcharged of the Obligation *in Foro interno*, and therefore if he can get looſe, may lawfully go his way.

8. But Servants ſubordinate, though manumitted by their immediate Lord, are not thereby diſcharged of their Subjection to their Lord paramount. For the immediate Maſter hath no Property in them, having transferred his Right before to another, namely, to his own and ſupreme Maſter. Nor if the chief Lord ſhould manumit his immediate Servant, doth he thereby releaſe his Servants of their Obligation to him that is ſo manumitted. For by this Manumiſſion, he recovereth again the abſolute Dominion he had over them before. For after a Releaſe, (which is the Diſcharge of a Covenant) the Right ſtandeth as it did before the Covenant was made.

9. This Right of Conqueſt, as it maketh one Man Maſter over another, ſo alſo maketh it a Man to be Maſter of the irrational Creatures. For if a Man in the State of Nature be in Hoſtility with Men, and thereby have lawful Title to ſubdue or kill, according as his own Conſcience and Diſcretion ſhall ſuggeſt unto him for his Safety and Benefit, much more may he do the ſame to Beaſts: that is to ſay, ſave and preſerve for his own Service, according to his Diſcretion, ſuch as are of Nature apt to obey, and commodious for Uſe; and to kill and deſtroy with perpetual War, all other, as fierce and noiſome to him. And this Dominion is therefore of the Law of Nature, and not of the divine Law poſitive. For if there had been no ſuch Right before the Revealing of God's Will in the Scripture, then ſhould no Man, to whom the Scripture hath not come, have Right to make Uſe of thoſe his Creatures, either for his Food or Suſtenance. And it were a hard Condition of Mankind, that a ſavage Beaſt ſhould with more Right kill a Man, than a Man a Beaſt.

CHAP. IV.

1. *The Dominion over the Child*, &c.
2. *Preheminence of Sex giveth not the Child to the Father, rather than to the Mother.*
3. *The Title of the Father or Mother*, &c.
4. *The Child of a Woman-Servant*, &c.
5. *The Right to the Child given from the Mother*, &c.
6. *The Child of the Concubine*, &c.
7. *The Child of the Husband and the Wife*, &c.
8. *The Father, or he or ſhe that bringeth up the Child, have abſolute Power over him.*
9. *Freedom in Subjects what it is.*
10. *A great Family is a patrimonial Kingdom.*
11. *Succeſſion of the Sovereign Power*, &c.
12. *Though the Succeſſor be not declared, yet there is always one to be preſumed.*
13. *The Children preferred to the Succeſſion*, &c.
14. *The Males before the Females.*
15. *The eldeſt before the reſt of the Brothers.*
16. *The Brother next to the Children.*
17. *The Succeſſion of the Poſſeſſor*, &c.

1. OF three Ways by which a Man becometh ſubject to another, mentioned Sect. 2. Chap. the laſt, namely, voluntary Offer, Captivity and Birth; the former two have been ſpoken of, under the Name of Subjects and Servants. In the next Place, we are to ſet down the third Way of Subjection, under the Name of Children, and by what Title one Man cometh to have Propriety in a Child, that proceedeth from the common Generation of two, (to wit) of Male and Female. And conſidering Men again diſſolved from all Covenants one with another, and that (Part I. Chap. IV. Sect. 2.) every Man by the Law of Nature, hath Right or Propriety to his own Body, the Child ought rather to be the Propriety of the Mother, (of whoſe Body it is Part, till the Time of Separation) than of the Father. For the underſtanding therefore of the Right that a Man or Woman hath to his or their Child, two Things are to be conſidered; Firſt, what Title the Mother, or any other originally hath, to a Child new born: Secondly, how the Father, or any other Man, pretendeth by the Mother.

2. For the firſt, they that have written of this Subject, have made Generation to be a Title of Dominion over Perſons, as well as the Conſent of the Perſons themſelves. And becauſe Generation giveth Title to two, namely, Father and Mother, whereas Dominion is indiviſible, they therefore aſcribe Dominion over the Child to the Father only, *Ob præſtantiam Sexûs*; but they ſhew not, neither can I find out by what Coherence, either Generation inferreth Dominion, or Advantage of ſo much Strength, which for the moſt Part a Man hath more than a Woman, ſhould generally and univerſally entitle the Father to a Propriety in the Child, and take it away from the Mother.

3. The Title to Dominion over a Child, proceedeth not from the Generation, but from the Preſervation of it; and therefore in the Eſtate of Nature, the Mother, in whoſe Power it is to ſave or deſtroy it, hath Right thereto by that Power, according to that which hath been ſaid, Part I. Chap. I. Sect 13. And if the Mother ſhall think fit to abandon, or expoſe her Child to Death, whatſoever Man or Woman ſhall find the Child ſo expoſed, ſhall have the ſame Right which the Mother had before; and for this ſame Reaſon, namely, for the Power not of generating, but preſerving. And though the Child thus preſerved, do in time acquire Strength, whereby he might pretend Equality with him or her that hath preſerved him, yet ſhall that Pretence be thought unreaſonable, both becauſe his Strength was the Gift of him, againſt whom he pretendeth, and alſo becauſe it is to be preſumed, that he which giveth Suſtenance to another, whereby to ſtrengthen him, hath received a Promiſe of Obedience in Conſideration thereof. For elſe it

would be Wiſdom in Men, rather to let their Children periſh, while they are Infants, than to live in their Danger or Subjection, when they are grown.

4. For the Pretences which a Man may have to Dominion over a Child by the Right of the Mother, they be of divers Kinds. One by the abſolute Subjection of the Mother; another, by ſome particular Covenant from her, which is leſs than a Covenant of ſuch Subjection. By abſolute Subjection, the Maſter of the Mother hath Right to her Child, according to Sect. 6. Chap. III. whether he be the Father thereof, or not. And thus the Children of the Servant are the Goods of the Maſter *in Perpetuum*.

5. Of Covenants that amount not to Subjection between a Man and Woman, there be ſome which are made for a Time; they are Covenants of Cohabitation, or elſe of Copulation only. And in this latter Caſe, the Children paſs by Covenants particular. And thus in the Copulation of the *Amazons* with their Neighbours, the Fathers by Covenant had the Male Children only, the Mothers retaining the Females.

6. And Covenants of Cohabitation are either for Society of Bed, or for Society of all things; if for Society of Bed only, then the Woman is called *a Concubine*. And here alſo the Child ſhall be his or hers, as they ſhall agree particularly by Covenant. For altho' for the moſt part, a Concubine is ſuppoſed to yield up the Right of her Children to the Father, yet doth not Concubinage enforce ſo much.

7. But if the Covenants of Cohabitation be for Society of all Things, it is neceſſary that but one of them govern and diſpoſe of all that is common to them both: without which (as hath been often ſaid before) Society cannot laſt. And therefore the Man, to whom for the moſt part the Woman yieldeth the Government, hath for the moſt part alſo the ſole Right and Dominion over the Children. And the Man is called the Huſband, and the Woman the Wife. But becauſe ſometimes the Government may belong to the Wife only, ſometimes alſo the Dominion over the Children ſhall be in her only. As in the Caſe of a Sovereign Queen, there is no Reaſon that her Marriage ſhould take from her the Dominion over her Children.

8. Children therefore, whether they be brought up and preſerved by the Father, or by the Mother, or by whomſoever, are in moſt abſolute Subjection to him or her, that ſo bringeth them up, or preſerveth them. And they may alienate them, that is, aſſign his or her Dominion, by ſelling, or giving them in Adoption or Servitude to others; or may pawn them for Hoſtages, kill them for Rebellion, or ſacrifice them for Peace, by the Law of Nature, when he or ſhe, in his or her Conſcience, think it to be neceſſary.

9. The Subjection of them who inſtitute a Commonwealth among themſelves, is no leſs abſolute than the Subjection of Servants. And therein they are in equal Eſtate. But the Hope of thoſe is greater than the Hope of theſe. For he that ſubjecteth himſelf uncompelled, thinketh there is Reaſon he ſhould be better uſed, than he that doth it upon Compulſion; and coming in freely, calleth himſelf, though in Subjection, a *Freeman*; whereby it appeareth, that Liberty is not any Exemption from Subjection and Obedience to the Sovereign Power, but a State of better Hope than theirs, that have been ſubjected by Force and Conqueſt. And this was the Reaſon, that the Name which ſignifieth Children in the Latin Tongue, is *Liberi*, which alſo ſignifieth *Freemen*. And yet in *Rome*, nothing at that time was ſo obnoxious to the Power of others, as Children in the Family of their Fathers. For both the State had Power over their Life without Conſent of their Fathers, and the Father might kill his Son by his own Authority, without any Warrant from the State. Freedom therefore in Commonwealths is nothing but the Honour of Equality of Favour with other Subjects, and Servitude the Eſtate of the reſt. A Freeman therefore may expect Employments of Honour, rather than a Servant. And this is all that can be underſtood by the Liberty of the Subject. For in all other Senſes, Liberty is the State of him that is not ſubject.

10. Now when a Father that hath Children, hath Servants alſo, the Children (not by the Right of the Child, but by the natural Indulgence of the Parents) are ſuch Freemen. And the whole conſiſting of the Father or Mother, or both, and of the Children, and of the Servants, is called a *Family*, wherein the Father or Mother of the Family is Sovereign of the ſame, and the reſt (both Children and Servants equally) Subjects. The ſame Family, if it grow by Multiplication of Children, either by Generation, or Adoption; or of Servants, either by Generation, Conqueſt, or voluntary Submiſſion, to be ſo great and numerous, as in Probability it may protect itſelf, then is that Family called a *Patrimonial Kingdom*, or Monarchy by Acquiſition, wherein the Sovereignty is in one Man, as it is in a Monarch made by *Political Inſtitution*. So that whatſoever Rights be in the one, the ſame alſo be in the other. And therefore I ſhall no more ſpeak of them as diſtinct, but of Monarchy in general.

11. Having ſhewed by what Right the ſeveral ſorts of Commonwealths, Democracy, Ariſtocracy, and Monarchy, are erected, it followeth, to ſhew by what Right they are continued. The Right by which they are continued, is called the Right of Succeſſion to the ſovereign Power; whereof there is nothing to be ſaid in a Democracy, becauſe the Sovereign dieth not, as long as there be Subjects alive: Nor in an Ariſtocracy, becauſe it cannot eaſily fall out, that the *Optimates* ſhould every one fail at once: And if it ſhould ſo fall out, there is no queſtion, but the Commonwealth is thereby diſſolved. It is therefore in a Monarchy only, that there can happen a Queſtion concerning the Succeſſion. And firſt, foraſmuch as a Monarch, which is abſolute Sovereign, hath the Dominion in his own Right, he may diſpoſe thereof at his own Will. If therefore by his Laſt-will, he ſhall name his Succeſſor, the Right paſſeth by that Will.

12. Nor if the Monarch die without any Will concerning the Succeſſion declared, it is not therefore to be preſumed, it was his Will, his Subjects, which are to him as his Children and Servants, ſhould return again to the State of Anarchy, that is, to War and Hoſtility. For that were expreſsly againſt the Law of Nature, which commandeth to procure Peace, and to maintain the ſame. It is therefore to be conjectured with Reaſon that it was his Intention to bequeath them Peace, that is to ſay, a Power coercive, whereby to keep them from Sedition amongſt themſelves; and rather in the Form of a Monarchy, than any other Government; foraſmuch as he, by the Exerciſe thereof in his own Perſon, hath declared that he approveth the ſame.

13. Farther, it is to be ſuppoſed his Intention was, that his own Children ſhould be preferred in the Succeſſion (when nothing to the contrary is expreſsly declared) before any other. For Men naturally ſeek their own Honour, and that conſiſteth in the Honour of their Children after them.

14. Again, ſeeing every Monarch is ſuppoſed to deſire to continue the Government in his Succeſſors, as long as he may; and that generally Men are indued with greater Parts of Wiſdom and Courage, by which all Monarchies are kept from Diſſolution, than Women are; it is to be preſumed, where no expreſs Will is extant to the contrary, he preferreth his Male Children before the Female. Not but that Women may govern, and have in divers Ages and Places governed wiſely, but are not ſo apt thereto in general, as Men.

15. Becauſe the ſovereign Power is indiviſible, it cannot be ſuppoſed, that he intended the ſame ſhould be divided, but that it ſhould deſcend intirely upon one of them, which is to be preſumed, ſhould be the eldeſt, aſſigned thereto by the Lot of Nature, becauſe he appointed no other Lot for the Deciſion thereof. Beſides, what Difference of Ability ſoever there may be amongſt the Brethren, the Odds ſhall be adjudged to the elder, becauſe no Subject hath Authority otherwiſe to judge thereof.

16. And for want of Iſſue in the Poſſeſſor, the Brother ſhall be preſumed Succeſſor. For by the Judgment of Nature, next in Blood, is next in Love; and next in Love, is next to Preferment.

17. And as the Succeſſion followeth the firſt Monarch, ſo alſo it followeth him or her that is in Poſſeſſion; and conſequently, the Children of him in Poſſeſſion, ſhall be preferred before the Children of his Father or Predeceſſor.

CHAP. V.

1. *The Utility of the Commonwealth,* &c.
2. *The Loſs of Liberty,* &c.
3. *Monarchy approved by,* &c.
4. *Monarchy leſs ſubject to Paſſion,* &c.
5. 6. *Subjects in Monarchy,* &c.
7. *Laws in Monarchy leſs changeable,* &c.
8. *Monarchies leſs ſubject to Diſſolution.*

1. HAving ſet forth the Nature of a Body Politic, and the three Sorts thereof, Democracy, Ariſtocracy, and Monarchy; in this Chapter ſhall be declared, the *Conveniencies* and *Inconveniencies* that ariſe from the ſame, both in general; and of the ſaid ſeveral Sorts in particular. And firſt, ſeeing a Body Politic is erected only for the ruling and governing of particular Men, the Benefit and Damage thereof conſiſteth in the Benefit or Damage of being ruled. The Benefit is that for which a Body Politic was inſtituted, namely, the Peace and Preſervation of every particular Man, than which it is not poſſible there can be a greater, as hath been touched before, Part. I. Chap. I. Sect. 12. And this Benefit extendeth equally both to the *Sovereign,* and to the *Subjects.* For he or they that have the Sovereign Power, have but the Defence of their Perſons, by the Aſſiſtance of the Particulars; and every particular Man hath his Defence by their Union in the Sovereign. As for other Benefits, which pertain not to their Safety and Sufficiency, but to their well and delightful Being, ſuch as are ſuperfluous Riches, they ſo belong to the Sovereign, as they muſt alſo be in the Subject; and ſo to the Subject, as they muſt alſo be in the Sovereign. For the Riches and Treaſure of the Sovereign, is the Dominion he hath over the Riches of his Subjects. If therefore the Sovereign provide not ſo as that particular Men may have Means, both to preſerve themſelves, and alſo to preſerve the Public; the Common or Sovereign Treaſure can be none. And on the other ſide, if it were not for a Common and Public Treaſure belonging to the Sovereign Power, Mens private Riches would ſooner ſerve to put them into Confuſion and War, than to ſecure and maintain them. Inſomuch as the Profit of the Sovereign and the Subject goeth always together. That Diſtinction therefore of Government, that there is one Government for the Good of him who governeth, and another for the Good of them that be governed, whereof the former is *Deſpotical* (that is Lordly) the other a Government of *Freemen,* is not right. No more is the Opinion of them that hold it to be no City, which conſiſteth of a Maſter and his Servants. They might as well ſay, it were no City that conſiſted in a Father and his own Iſſue, how numerous ſoever they were. For to a Maſter that hath no Children, the Servants have in them all thoſe Reſpects, for which Men love their Children. For they are his Strength, and his Honour. And his Power is no greater over them, than over his Children.

2. The Inconvenience ariſing from Government in general, to him that governeth, conſiſteth partly in the continual Care and Trouble about the Buſineſs of other Men, that are his Subjects; and partly in the Danger of his Perſon. For the Head always is that Part, not only where the Care reſideth, but alſo againſt which the Stroke of an Enemy moſt commonly is directed. To balance this Incommodity, the Sovereignty, together with the Neceſſity of this Care and Danger, comprehendeth ſo much Honour, Riches, and Means, whereby to delight the Mind, as no private Man's Wealth can attain unto. The Inconveniencies of Go-

vernment in general to a Subject are none at all, if well conſidered, but in Appearance. There be two Things that may trouble his Mind, or two general Grievances: The one is Loſs of Liberty; the other the Uncertainty of *Meum & Tuum*. For the firſt, it conſiſteth in this, That a Subject may no more govern his own Actions according to his own Diſcretion and Judgment, or (which is all one) Conſcience, as the preſent Occaſions from Time to Time ſhall dictate to him; but muſt be tied to do according to that Will only, which once for all he had long ago laid up, and involved in the Wills of the major Part of an Aſſembly, or in the Will of ſome one Man. But this is really no Inconvenience. For, as it hath been ſhewed before, it is the only Means, by which we have any Poſſibility of preſerving ourſelves. For if every Man were allowed this Liberty of following his Conſcience, in ſuch Difference of Conſciences, they would not live together in Peace an Hour. But it appeareth a great Inconvenience to every Man in particular, to be debarred of this Liberty, becauſe every one apart conſidereth it as in himſelf, and not as in the reſt; by which Means, Liberty appeareth in the Likeneſs of Rule and Government over others. For where one Man is at Liberty, and the reſt bound, there that one hath Government; which Honour, he that underſtandeth not ſo much, demanding by the Name ſimply of Liberty, thinketh it a great Grievance and Injury to be denied it. For the ſecond Grievance concerning *Meum & Tuum*, it is alſo none, but in Appearance only; it conſiſteth in this, That the Sovereign Power taketh from him that which he uſed to enjoy, knowing no other Propriety, but Uſe and Cuſtom. But without ſuch Sovereign Power, the Right of Men is not Propriety to any Thing, but a Community, no better than to have no Right at all, as hath been ſhewed, Part I. Chap. I. Sect. 10. Propriety therefore being derived from the Sovereign Power, is not to be pretended againſt the ſame, eſpecially, when by it every Subject hath his Propriety againſt every other Subject, which when Sovereignty ceaſeth, he hath not, becauſe in that Caſe they return to War among themſelves. Thoſe Levies therefore which are made upon Men's Eſtates, by the Sovereign Authority, are no more but the Price of that Peace and Defence which the Sovereignty maintaineth for them. If this were not ſo, no Money nor Forces for the Wars, nor any other public Occaſion, could juſtly be levied in the World. For neither King, nor Democracy, nor Ariſtocracy, nor the Eſtates of any Land, could do it, if the Sovereignty could not. For in all thoſe Caſes, it is levied by Virtue of the Sovereignty. Nay more, by the three Eſtates here, the Land of one Man may be transferred to another, without Crime of him from whom it was taken, and without Pretence of public Benefit, as hath been done; and this without Injury, becauſe done by the Sovereign Power. For the Power whereby it is done, is no leſs than Sovereign, and cannot be greater. Therefore this Grievance for *Meum & Tuum* is not real, unleſs more be exacted than is neceſſary; but it ſeemeth a Grievance, becauſe to them that either know not the Right of Sovereignty, or to whom that Right belongeth, it ſeemeth an Injury; and Injury, how little ſoever the Damage, is always grievous, as putting us in mind of our Diſability to help ourſelves, and into Envy of the Power to do us Wrong.

3. Having ſpoken of the Inconveniencies of the Subject by Government in general, let us conſider the ſame in the three ſeveral Sorts thereof, namely, *Democracy*, *Ariſtocracy*, and *Monarchy*; whereof the two former are in effect but one. For (as I have ſhewed before) Democracy is but the Government of a few Orators. The Compariſon therefore will be between Monarchy and Ariſtocracy: And to omit, that the World as it was created, ſo alſo it is governed by one God Almighty; and that all the Ancients have preferred Monarchy before other Governments, both in Opinion, becauſe they feigned a Monarchical Government amongſt their Gods; and alſo by their Cuſtom, for that in the moſt ancient Times all People were ſo governed: And that Paternal Government, which is Monarchy, was inſtituted in the Beginning from the Creation; and that other Governments have proceeded from the Diſſolution thereof, cauſed by the rebellious Nature of Mankind, and be but

Pieces of broken Monarchies cemented by human Wit; I will inſiſt only on this Compariſon, upon the Inconveniencies that may happen to the Subjects in Conſequence to each of theſe Governments.

4. And firſt, it ſeemeth inconvenient there ſhould be committed ſo great a Power to one Man, as that it might be lawful to no other Man or Men to reſiſt the ſame; and ſome think it inconvenient *eo Nomine*, becauſe he hath the Power. But this Reaſon we may not by any Means admit; for it maketh it inconvenient to be ruled by Almighty God, who without Queſtion hath more Power over every Man, than can be conferred upon any Monarch. This Inconvenience therefore muſt be derived not from the Power, but from the Affections and Paſſions which reign in every one, as well Monarch, as Subject, by which the Monarch may be ſwayed to uſe that Power amiſs: And becauſe Ariſtocracy conſiſteth of Men, if the Paſſions of many Men be more violent when they are aſſembled together, than the Paſſions of one Man alone, it will follow, that the Inconvenience ariſing from Paſſions will be greater in an *Ariſtocracy*, than a *Monarchy*. But there is no Doubt, when Things are debated in great Aſſemblies, but every Man delivering his Opinion at large without Interruption, endeavoureth to make whatſoever he is to ſet forth for Good, better; and what he would have apprehended as Evil, worſe, as much as is poſſible, to the End his Counſel may take place: which Counſel alſo is never without Aim at his own Benefit, or Honour; every Man's End being ſome Good to himſelf. Now this cannot be done without working on the Paſſions of the reſt. And thus the Paſſions of theſe that are ſingly moderate, are altogether vehement; even as a great many Coals, though but warm aſunder, being put together, inflame one another.

5. Another Inconvenience of Monarchy, is this, That the Monarch, beſides the Riches neceſſary for the Defence of the Commonwealth, may take ſo much more from the Subjects, as may enrich his Children, Kindred and Favourites, to what Degree he pleaſeth; which though it be indeed an Inconvenience, if he ſhould ſo do, yet is the ſame both greater in an Ariſtocracy, and alſo more likely to come to paſs; for there not one only, but many have Children, Kindred, and Friends to raiſe. And in that Point they are as Twenty Monarchs for one, and likely to ſet forward one another's Deſigns mutually, to the Oppreſſion of all the reſt. The ſame alſo happeneth in a Democracy, if they all do agree; otherwiſe they bring a worſe Inconvenience, to wit, Sedition.

6. Another Inconvenience of Monarchy, is the Power of diſpenſing with the Execution of Juſtice, whereby the Family and Friends of the Monarch, may with Impunity commit Outrages upon the People, or oppreſs them with Extortion. But in Ariſtocracies, not only one, but many have Power of taking Men out of the Hands of Juſtice, and no Man is willing his Kindred or Friends ſhould be puniſhed according to their Demerits. And therefore they underſtand amongſt themſelves without further ſpeaking, as a tacit Covenant, *Hodie mihi, cras tibi.*

7. Another Inconvenience of Monarchy, is the Power of altering Laws. Concerning which, it is neceſſary that ſuch a Power be, that Laws may be altered, according as Men's Manners change, or as the Conjuncture of all Circumſtances within and without the Commonwealth ſhall require; the Change of Law being then inconvenient, when it proceedeth from the Change, not of the Occaſion, but of the Minds of him or them, by whoſe Authority the Laws are made. Now it is manifeſt enough of itſelf, that the Mind of one Man is not ſo variable in that Point, as are the Decrees of an Aſſembly. For not only they have all their natural Changes, but the Change of any one Man may be enough with Eloquence and Reputation, or by Solicitation and Faction, to make that Law to-day, which another by the very ſame Means ſhall abrogate to-morrow.

8. Laſtly, the greateſt Inconvenience that can happen to a Commonwealth, is the Aptitude to diſſolve into civil War; and to this are Monarchies much leſs ſubject, than any other Governments. For where the Union, or Band of a Commonwealth is one Man, there is no Diſtraction; whereas in Aſſemblies, thoſe that are

of different Opinions, and give different Counſel, are apt to fall out amongſt themſelves, and to croſs the Deſigns of the Commonwealth for one another's Sake: and when they cannot have the Honour of making good their own Devices, they yet ſeek the Honour to make the Counſels of their Adverſaries prove vain. And in this Contention, when the oppoſite Factions happen to be any Thing equal in Strength, they preſently fall to War. Wherein Neceſſity teacheth both Sides, that an abſolute Monarch, to wit, a General, is neceſſary both for their Defence againſt one another, and alſo for the Peace of each Faction within itſelf. But this Aptitude to Diſſolution is to be underſtood for an Inconvenience in ſuch Ariſtocracies only, where the Affairs of State are debated in great and numerous Aſſemblies, as they were anciently in *Athens* and in *Rome*; and not in ſuch as do nothing elſe in great Aſſemblies, but chuſe Magiſtrates and Counſellors, and commit the handling of State Affairs to a few; ſuch as is the Ariſtocracy of *Venice* at this Day. For theſe are no more apt to diſſolve from this Occaſion, than Monarchies, the Council of State being both in the one and the other alike.

CHAP. VI.

1. *A Difficulty concerning abſolute Subjection to Man, ariſing from our abſolute Subjection to God Almighty, propounded.*
2. *That this Difficulty is only amongſt thoſe Chriſtians that deny the Interpretation of Scripture, to depend upon the Sovereign Authority of the Commonwealth.*
3. *That Human Laws are not made to govern the Conſciences of Men, but their Words and Actions.*
4. *Places of Scripture to prove Obedience due from Chriſtians to their Sovereign in all Things.*
5. *A Diſtinction propounded between a Fundamental Point of Faith, and a Superſtruction.*
6. *An Explication of the Points of Faith that be Fundamental.*
7. *That the Belief of thoſe Fundamental Points, is all that is required to Salvation, as of Faith.*
8. *That other Points not Fundamental, are not neceſſary to Salvation as Matter of Faith; and that no more is required by way of Faith to the Salvation of one Man, than to the Salvation of another.*
9. *That Superſtructions are not Points of the Faith neceſſary to a Chriſtian.*
10. *How Faith and Juſtice concur to Salvation.*
11. *That in Chriſtian Commonwealths, Obedience to God and Man ſtand well together.*
12. *This Tenet, Whatſoever is againſt the Conſcience is Sin, interpreted.*
13. *That all Men do confeſs the Neceſſity of ſubmitting of Controverſies to ſome human Authority.*
14. *That Chriſtians under an Infidel are diſcharged of the Injuſtice of diſobeying him, in that which concerneth the Faith neceſſary to Salvation, by not reſiſting.*

1. Having ſhewed, that in all Commonwealths whatſoever, the Neceſſity of Peace and Government requireth, that there be exiſtent ſome Power, either in one Man, or in one Aſſembly of Men, by the Name of the Power Sovereign, which it is not lawful for any Member of the ſame Commonwealth to diſobey; there occurreth now a Difficulty, which, if it be not removed, maketh it unlawful for a Man to put himſelf under the Command of ſuch abſolute Sovereignty, as is required thereto. And the Difficulty is this; We have amongſt us the Word of God for the Rule of our Actions: Now if we ſubject ourſelves to Men alſo, obliging ourſelves to do ſuch Actions as ſhall be by them commanded, when the Commands of God and Man ſhall differ, we are to obey God rather than Man; and conſequently, the Covenant of general Obedience to Man is unlawful.

2. This Difficulty hath not been of very great Antiquity in the World. There was no ſuch *Dilemma* amongſt the *Jews*; for their Civil Law, and Divine Law, was one and the ſame Law of *Moſes*; the Interpreters whereof were the Prieſts, whoſe Power was ſubordinate to the Power of the King; as was the Power of *Aaron* to the Power of *Moſes*. Nor is it a Controverſy that was ever taken notice of amongſt the *Grecians*, *Romans*, or other *Gentiles*: for amongſt theſe their ſeveral Civil Laws were the Rules whereby not only Righteouſneſs and Virtue, but alſo Religion, and the external Worſhip of God, was ordered and approved; that being eſteemed the true Worſhip of God, which was κατὰ τὰ νόμιμα according to the Laws Civil. Alſo thoſe Chriſtians that dwell under the Temporal Dominion of the Biſhop of *Rome*, are free from this Queſtion; for that they allow unto him (their Sovereign) to interpret the Scriptures, which are the Law of God, as he in his own Judgment ſhall think right. This Difficulty therefore remaineth amongſt, and troubleth thoſe Chriſtians only, to whom it is allowed, to take for the Senſe of the Scripture, that which they make thereof, either by their own private Interpretation, or by the Interpretation of ſuch as are not called thereunto by public Authority; they that follow their own Interpretation continually, demanding Liberty of Conſcience; and thoſe that follow the Interpretation of others not ordained thereunto by the Sovereign of the Commonwealth, requiring a Power in Matters of Religion either above the Power Civil, or at leaſt not depending on it.

3. To take away this Scruple of Conſcience, concerning Obedience to human Laws, amongſt thoſe that interpret to themſelves the Word of God in the holy Scriptures, I propound to their Conſideration, firſt, That no human Law is intended to oblige the Conſcience of a Man, unleſs it break out into Action, either of the Tongue, or other Part of the Body. The Law made thereupon would be of none Effect, becauſe no Man is able to diſcern, but by Word or other Action, whether ſuch Law be kept or broken. Nor did the Apoſtles themſelves pretend Dominion over Mens Conſciences, concerning the Faith they preached, but only Perſuaſion and Inſtruction. And therefore St. *Paul* ſaith, 2 *Cor.* i. 24. writing to the *Corinthians*, concerning their Controverſies, that he and the reſt of the Apoſtles had no Dominion over their Faith, but were Helpers of their Joy.

4. And for the Actions of Men which proceed from their Conſciences, the regulating of which Actions is the only means of Peace, if they might not ſtand with Juſtice, it were impoſſible that Juſtice towards God, and Peace amongſt Men, ſhould ſtand together in that Religion that teacheth us, that *Juſtice and Peace ſhall kiſs each other*, and in which we have ſo many Precepts of abſolute Obedience to human Authority; as *Matth.* xxiii. 2, 3. we have this Precept, *The Scribes and Phariſees ſit in Moſes Seat; all therefore whatſoever they bid you obſerve, that obſerve and do.* And yet were the Scribes and Phariſees not Prieſts, but Men of temporal Authority. Again, *Luke* xi. 17. *Every Kingdom divided againſt itſelf, ſhall be deſolate*; and is not that Kingdom divided againſt itſelf, where the Actions of every one ſhall be ruled by his private Opinion, or Conſcience, and yet thoſe Actions ſuch as give Occaſion of Offence and Breach of Peace? Again, Rom. xiii. 5. *Wherefore you muſt be ſubject, not becauſe of Wrath only, but alſo for Conſcience Sake.* Tit. iii. 1. *Put them in Remembrance, that they be ſubject to Principalities and Powers.* 1 Pet. ii. 13, 14. *Submit yourſelves unto all manner of Ordinance of Man, for the Lord's Sake, whether it be unto the King, as unto the Superior, or unto Governors, as unto them that are ſent of him for the Puniſhment of Evil-doers.* Jude, Verſe 8. *Theſe Dreamers alſo that defile the Fleſh, and deſpiſe Government, and ſpeak Evil of them that are in Authority.* And foraſmuch as all Subjects in Commonwealths are in the Name of Children and Servants, that which is a Command to them, is a Command to all Subjects. But to theſe St. *Paul* ſaith, Coloſ. iii. 20, 22. *Children, obey your Parents in all Things; Servants, be obedient to your Maſters according to the Fleſh in all Things.* And Verſe 23. *Do it heartily, as to the Lord.* Theſe Places conſidered, it ſeemeth ſtrange to me, that any Man in a Chriſtian Commonwealth, ſhould have any Occaſion to deny

his Obedience to public Authority, upon this Ground, that *It is better to obey God than Man.* For though St. *Peter* and the Apoſtles did ſo anſwer the Council of the *Jews*, that forbad them to preach Chriſt, there appeareth no Reaſon that Chriſtians ſhould alledge the ſame againſt their Chriſtian Governors, that command them to preach Chriſt. To reconcile this ſeeming Contradiction of ſimple Obedience to God, and ſimple Obedience to Man, we are to conſider a Chriſtian Subject as under a Chriſtian Sovereign, or under an Infidel.

5. And under a Chriſtian Sovereign we are to conſider, what Actions we are forbidden by God Almighty to obey them in, and what not. The Actions we are forbidden to obey them in, are ſuch only as imply a Denial of that Faith which is neceſſary to our Salvation: for otherwiſe there can be no Pretence of Diſobedience; for why ſhould a Man incur the Danger of a temporal Death, by diſpleaſing his Superior, if it were not for fear of eternal Death hereafter? It muſt therefore be inquired, what thoſe Propoſitions and Articles be, the Belief whereof our Saviour or his Apoſtles have declared to be ſuch, as without believing them a Man cannot be ſaved; and then all other Points, that are now controverted, and made Diſtinction of Sects, *Papiſts*, *Lutherans*, *Calviniſts*, *Arminians*, *&c.* as in old Time the like made *Pauliſts*, *Apollonians*, and *Cephaſians*, muſt needs be ſuch, as a Man needeth not for the holding thereof, deny Obedience to his Superiors. And for the Points of Faith neceſſary to Salvation, I ſhall call them *Fundamental*, and every other Point a *Superſtruction*.

9. And without all Controverſy, there is not any more neceſſary Point to be believed for Man's Salvation, than this, That *Jeſus is the Meſſiah*, that is, *the Chriſt*; which Propoſition is explicated in ſundry Sorts, but ſtill the ſame in Effect; as, that *He is God's Anointed*; for that is ſignified by the Word, *Chriſt*: that *He was the true and lawful King of Iſrael*, *The Son of David*, *The Saviour of the World*, *The Redeemer of Iſrael*, *The Salvation of God*, *He that ſhould come into the World*, *The Son of God*, and (which I deſire by the Way to have noted, againſt the now Sect of *Arians*) *The begotten Son of God*, Acts iii. 13. Heb. v. 5. *The only begotten Son of God*, 1 John i. 14, 18. John iii. 16, 18. 1 John iv. 9. *That he was God*, John i. 1. John xx. 38. *That the Fullneſs of the Godhead dwelt in him bodily.* Moreover, *The Holy one*, *The Holy One of God*, *The Forgiver of Sins*, *That he is riſen from the Dead.* Theſe are Explications, and Parts of that general Article, that *Jeſus is the Chriſt.* This Point therefore, and all the Explications thereof, are Fundamental; as alſo all ſuch as be evidently inferred from thence; as, *Belief in God the Father.* John xii. 44. *He that believeth in me, believeth not in me, but in him that ſent me.* 1 John ii. 23. *He that denieth the Son, hath not the Father.* Belief in God the Holy Ghoſt, of whom Chriſt ſaith, John xiv. 26. *But the Comforter, which is the Holy Ghoſt, whom the Father will ſend in my Name.* And John xv. 16. *But when the Comforter ſhall come, whom I will ſend unto you from the Father, even the Spirit of Truth.* Belief of the Scriptures, by which we believe thoſe Points and of the Immortality of the Soul, without which we cannot believe he is a Saviour.

7. And as theſe are the fundamental Points of Faith neceſſary to Salvation; ſo alſo are they only neceſſary as Matter of Faith, and only eſſential to the Calling of a Chriſtian; as may appear by many evident Places of Holy Scripture: John v. 39. *Search the Scriptures, for in them ye think ye have eternal Life, and they are they which teſtify of me.* Now, foraſmuch as by the *Scripture*, is meant there the Old Teſtament, (the New being then not written) the Belief of that which was written concerning our Saviour in the Old Teſtament, was ſufficient Belief for the obtaining of eternal Life: but in the Old Teſtament, there is nothing revealed concerning Chriſt, but that he is the Meſſiah, and ſuch Things as belong to the Fundamental Points thereupon depending. And therefore thoſe *Fundamental* Points are ſufficient to Salvation as of Faith. And John vi. 28, 29. *Then ſaid they unto him, What ſhall we do, that we might work the Works of God? Jeſus anſwered and ſaid unto them, This is the Work of God, that ye believe in him, whom he hath ſent.* So that the Point to be believed is, *That Jeſus Chriſt came forth from God, and he which be-*

lieveth it, worketh the Works of God. John xi. 26, 27. *Whoſoever liveth and believeth in me, ſhall never die. Believeſt thou this? She ſaid unto him, Yea, Lord, I believe that thou art the Chriſt, the Son of God, which ſhould come into the World.* Hence followeth, *He that believeth this, ſhall never die.* John xx. 31. *But theſe Things are written, that ye might believe, that Jeſus is the Chriſt, the Son of God, and that in believing, ye might have Life through his Name.* By which appeareth, that this *Fundamental* Point is all that is required, as of Faith to our Salvation. 1 John iv. 2. *Every Spirit that confeſſeth that Jeſus Chriſt is come into the Fleſh, is of God.* 1 John v. 1. *Whoſoever believeth that Jeſus is the Chriſt, is born of God*; and ver. 5. *Who is it that overcometh the World, but he that believeth, that Jeſus is the Son of God?* and ver. 13. *Theſe Things have I written unto you that believe in the Name of the Son of God, that ye may know that ye have eternal Life.* Acts viii. 36, 37. *The Eunuch ſaid, Here is Water, what doth let me to be baptized? And Philip ſaid unto him, If thou believeſt with all thy Heart, thou mayeſt. He anſwered and ſaid, I believe that Jeſus Chriſt is the Son of God.* This Point therefore was ſufficient for the Reception of Man into Baptiſm, that is to ſay, to Chriſtianity. And Acts xvi. 30. *The Keeper of the Priſon fell down before Paul and Silas, and ſaid, Sirs, What ſhall I do to be ſaved? And they ſaid, Believe in the Lord Jeſus Chriſt.* And the Sermon of St. *Peter* upon the Day of *Pentecoſt*, was nothing elſe but an Explication that *Jeſus was the Chriſt. And when they had heard him, they aſked him, What ſhall we do? He ſaid unto them,* Acts ii. 38. *Amend your Lives, and be baptized every one of you in the Name of Jeſus Chriſt, for the Remiſſion of Sins.* Rom. x. 9. *If thou ſhalt confeſs with thy Mouth the Lord Jeſus, and ſhalt believe in thy Heart, that God raiſed him up from the Dead, thou ſhalt be ſaved.* To theſe Places may be added, That whereſoever our Saviour Chriſt doth approve the Faith of any Man, the Propoſition believed, (if the ſame be to be collected out of the Text) is always ſome of theſe Fundamental Points beforementioned, or ſomething equivalent: As the Faith of the Centurion, Matt. viii. 8. *Speak the Word only, and my Servant ſhall be healed*; believing he was Omnipotent: The Faith of the Woman, which had an Iſſue of Blood, Matt. ix. 21. *If I may but touch the Hem of his Garment*; implying, He was the Meſſiah: The Faith required of the blind Men, Matt. ix. 28. *Believe you that I am able to do this?* The Faith of the *Canaanitiſh* Woman, Matt. xv. 22. That he was the *Son of David*, implying the ſame. And ſo it is in every one of thoſe Places (none excepted) where our Saviour commendeth any Man's Faith, which becauſe they are too many to inſert here, I omit, and refer them to his Inquiſition that is not otherwiſe ſatisfied. And as there is no other Faith required, ſo there was no other preaching: for the Prophets of the Old Teſtament preached no other; and *John* the Baptiſt preached only the Approach of the Kingdom of Heaven, that is to ſay, of the Kingdom of Chriſt. The ſame was the Commiſſion of the Apoſtles, Matt. x. 7. *Go preach, ſaying, The Kingdom of Heaven is at Hand.* And *Paul* preaching amongſt the *Jews*, Acts xviii. 5. did but teſtify unto the Jews, that *Jeſus was the Chriſt.* And the Heathens took notice of Chriſtians no otherwiſe, but by this Name, that they believed *Jeſus to be a King*, crying out, Acts xvii. 6. *Theſe are they that have ſubverted the State of the World, and here they are, whom Jaſon hath received. And theſe all do againſt the Decrees of Cæſar, ſaying, That there is another King, One Jeſus.* And this was the Sum of the Confeſſions of them that believed, as well Men as Devils. This was the Title of his Croſs, *Jeſus of Nazareth, King of the Jews*; This the Occaſion of the Crown of Thorns, Scepter of Reed, and a Man to carry his Croſs; This was the Subject of the *Hoſanna's*; and this was the Title, by which our Saviour, commanding to take another Man's Goods, bad them ſay, *The Lord hath Need*; and by this Title he purged the Temple of the profane Market kept there. Nor did the Apoſtles themſelves believe any more than that *Jeſus was the Meſſiah*, nor underſtand ſo much; for they underſtood the Meſſiah to be no more than a Temporal King till after our Saviour's Reſurrection. Furthermore, this Point, that *Chriſt is the Meſſiah*, is particularly ſet forth for *Fundamental* by that Word, or ſome other equivalent thereunto in divers Places. Upon the Confeſſion of *Peter*, Matth. xvi. 16. *Thou art the Chriſt, the Son of the living God*, our Saviour, Verſe 18. ſaith, *Upon this Rock will I build my Church*. This Point therefore is the whole Foundation of Chriſt's Church. *Rom.* xv. 20. St. *Paul* ſaith, *I ſo inforced myſelf to preach the Goſpel, not where Chriſt was named, leſt I ſhould have built upon another Man's Foundation*, 1 *Cor.* iii. 10. St. *Paul*, when he had reprehended the *Corinthians* for their Sects, and curious Doctrines and Queſtions, he diſtinguiſheth between *fundamental* Points, and *Superſtruction*; and ſaith, *I have laid the Foundation, and another buildeth thereupon; but let every Man take heed how he buildeth upon it. For other Foundation can no Man lay than that which is laid, which is Jeſus Chriſt.* Coloſſ. ii. 6. *As you have received Chriſt Jeſus the Lord, ſo walk in him, rooted and builded in him, and ſtabliſhed in the Faith.*

8. Having ſhewed this Propoſition, *Jeſus is the Chriſt*, to be the only fundamental and neceſſary Point of Faith, I ſhall ſet down a few Places more, to ſhew, that other Points, though they may be true, are not ſo neceſſary to be believed, as that a Man may not be ſaved, though he believe them not. And firſt, If a Man could not be ſaved without Aſſent of the Heart to the Truth of all Controverſies, which are now in Agitation concerning Religion, I cannot ſee how any Man living can be ſaved; ſo full of Subtilty and curious Knowledge it is to be ſo great a Divine. Why therefore ſhould a Man think that our Saviour, who, *Matth.* xi. 30. ſaith, that his *Yoke is eaſy*, ſhould require a Matter of that Difficulty? or how are little Children ſaid to believe, *Matth.* xviii. 6? or how could the good Thief be thought ſufficiently catechized upon the Croſs? or St. *Paul* ſo perfect a Chriſtian preſently upon his Converſion? and though there may be more Obedience required in him that hath the fundamental Points explicated unto him, than in him that hath received the ſame but implicitly; yet there is no more Faith required for Salvation in one Man, than in another. For if it be true, that *Whoſoever ſhall confeſs with his Mouth the Lord Jeſus, and believe in his Heart, that God raiſed him from the Dead, ſhall be ſaved*; as it is, *Rom.* x. 9. and that *Whoſoever believeth that Jeſus is the Chriſt, is born of God*; the Belief of that Point is ſufficient for the Salvation of any Man whatſoever he be, for as much as concerneth Faith. And ſeeing he that believeth not that *Jeſus is the Chriſt*, whatſoever he believe elſe, cannot be ſaved; it followeth, that there is no more required for the Salvation of one Man, than another, in Matter of Faith.

9. About theſe Points fundamental, there is little Controverſy amongſt Chriſtians, though otherwiſe of different Sects amongſt themſelves. And therefore the Controverſies of Religion, are altogether about Points unneceſſary to Salvation; whereof ſome are Doctrines raiſed by human Ratiocination, from the Points *fundamental*. As for Example; ſuch Doctrines as concern the Manner of the real Preſence, wherein are mingled Tenets of Faith concerning the Omnipotency and Divinity of Chriſt, with the Tenets of *Ariſtotle* and the *Peripatetics*, concerning Subſtance and Accidents, Species, Hypoſtaſis, and the Subſiſtence and Migration of Accidents from Place to Place; Words ſome of them without Meaning, and nothing but the Canting of *Grecian* Sophiſters. And theſe Doctrines are condemned expreſsly, *Col.* ii. 8. where after St. *Paul* had exhorted them to *be rooted and builded in Chriſt*, he giveth them this farther Caveat; *Beware leſt there be any Man that ſpoil you through Philoſophy and vain Deceits, through the Traditions of Men, according to the Rudiments of the World.* And ſuch are ſuch Doctrines, as are raiſed out of ſuch Places of the Scriptures, as concern not the Foundation, by Mens natural Reaſon; as about the Concatenation of Cauſes, and the Manner of God's Predeſtination; which are alſo mingled with Philoſophy: as if it were poſſible for Men that know not in what Manner God ſeeth, heareth, or ſpeaketh, to know nevertheleſs the Manner how he intendeth, and predeſtinateth. A Man therefore ought not to examine by Reaſon any Point, or draw any Conſequence out of Scripture by Reaſon, concerning the Nature of God Almighty, of which Reaſon is not capable. And therefore St. *Paul*, *Rom.* xii. 3. giveth a good Rule, *That*

That no Man preſume to underſtand above that which is meet to underſtand, but that he underſtand according to Sobriety: which they do not, who preſume out of Scripture, by their own Interpretation, to raiſe any Doctrine to the Underſtanding, concerning thoſe Things which are incomprehenſible. And this whole Controverſy concerning the Predeſtination of God, and the Free-Will of Man, is not peculiar to Chriſtian Men. For we have huge Volumes of this Subject, under the Name of *Fate* and *Contingency*, diſputed between the *Epicureans* and the *Stoics*, and conſequently it is not Matter of Faith, but of Philoſophy: and ſo are alſo all the Queſtions concerning any other Point, but the Foundation before named; and God receiveth a Man, which Part of the Queſtion ſoever he holdeth. It was a Controverſy in St. *Paul*'s Time, Whether a Chriſtian Gentile might eat freely of any Thing which the Chriſtian *Jews* did not; and the *Jew* condemned the Gentile that he did eat, to whom St. *Paul* ſaith, Rom. xiv. 3. *Let not him that eateth not, judge him that eateth; for God hath received him.* And Verſe 6. in the Queſtion concerning the obſerving of Holy Days, wherein the Gentiles and *Jews* differed, he ſaith unto them, *He that obſerveth the Day, obſerveth it to the Lord; and he that obſerveth not the Day, obſerveth it not to the Lord.* And they who ſtrive concerning ſuch Queſtions, and divide themſelves into Sects, are not therefore to be accounted zealous of the Faith, their Strife being but carnal, which is confirmed by St. *Paul*, 1 Cor. iii. 4. *When one ſaith, I am of Paul, and another, I am of Apollos, are ye not carnal?* For they are not Queſtions of Faith, but of Wit, wherein carnally Men are inclined to ſeek the Maſtery of one another. For nothing is truly a Point of Faith, but that *Jeſus is the Chriſt*; as St. *Paul* teſtifieth, 1 Cor. ii. 2. *For I eſteemed not the Knowledge of any Thing amongſt you, ſave Jeſus Chriſt, and him crucified.* And 1 Tim. vi. 20. *O Timotheus, keep that which is committed unto thee, and avoid profane and vain Bablings, and Oppoſition of Science falſly ſo called, which while ſome profeſs, they have erred concerning the Faith.* 2 Tim. ii. 16. *Stay profane and vain Bablings*, &c. Verſe 17. *Of which Sort is Hymeneus and Philetus, which as concerning the Truth, have erred, ſaying, That the Reſurrection is paſt already.* Whereby St. *Paul* ſhewed, that the raiſing of Queſtions by human Ratiocination, though it be from the fundamental Points themſelves, is not only not neceſſary, but moſt dangerous to the Faith of a Chriſtian. Out of all theſe Places I draw only this Concluſion in general, That neither the Points now in Controverſy amongſt Chriſtians of different Sects, or in any Point that ever ſhall be in Controverſy, excepting only thoſe that are contained in this Article, *Jeſus is the Chriſt*, are neceſſary to Salvation, as of Faith; though in Matter of Obedience, a Man may be bound not to oppoſe the ſame.

10. Although to the obtaining of Salvation, there be required no more, as hath been already declared, out of the Holy Scriptures, as Matter of Faith, but the Belief of thoſe fundamental Articles before ſet forth; nevertheleſs, there are required other Things, as Matter of Obedience. For, as it is not enough in temporal Kingdoms (to avoid the Puniſhment which Kings may inflict) to acknowledge the Right and Title of the King, without Obedience alſo to his Laws: ſo alſo it is not enough, to acknowledge our Saviour Chriſt to be the King of Heaven, in which conſiſteth Chriſtian Faith, unleſs alſo we endeavour to obey his Laws, which are the Laws of the Kingdom of Heaven, in which conſiſteth Chriſtian Obedience. And foraſmuch as the Laws of the Kingdom of Heaven are the Laws of Nature, as hath been ſhewed, Part I. Chap. V. not only Faith, but alſo the Obſervation of the Law of Nature, which is that for which a Man is called Juſt or Righteous, (in that Senſe, in which Juſtice is taken not for the Abſence of Guilt, but for the Endeavour and conſtant Will to do that which is juſt) not only Faith, but this Juſtice, which alſo from the Effect thereof is called Repentance, and ſometimes Works, is neceſſary to Salvation. So that Faith and Juſtice do both concur thereto; and in the ſeveral Acceptations of the Word [Juſtification] are properly ſaid both of them to juſtify; and the Want of either of them is properly ſaid to condemn. For not only he that reſiſteth a King upon doubt of his Title, but alſo he that

doth it upon the Inordinateneſs of his Paſſions, deſerveth Puniſhment. And when Faith and Works are ſeparated, not only the Faith is called Dead, without Works, but alſo Works are called Dead Works without Faith. And therefore St. *James*, Chap. ii. 27. ſaith, *Even ſo the Faith, if it have no Works, is dead in itſelf*; and Verſe 26. *For as the Body without the Spirit is dead, even ſo Faith without Works is dead.* And St. *Paul*, Heb. vi. 1. calleth Works without Faith, *Dead Works*, where he ſaith, *Not laying the Foundation of Repentance from Dead Works.* And by theſe Dead Works, is underſtood not the Obedience and Juſtice of the inward Man, but the *Opus operatum*, or external Action, proceeding from Fear of Puniſhment, or from Vain-glory, and Deſire to be honoured of Men: and theſe may be ſeparated from Faith, and conduce no way to a Man's Juſtification. And for that Cauſe, St. *Paul*, Rom. iv. excludeth the Righteouſneſs of the Law from having Part in the Juſtification of a Sinner. For by the Law of *Moſes*, which is applied to Mens Actions, and requireth the Abſence of Guilt, all Men living are liable to Damnation; and therefore no Man is juſtified by Works, but by Faith only. But if Works be taken for the Endeavour to do them, that is, if the Will be taken for the Deed, or internal for external Righteouſneſs, then do Works contribute to Salvation. And then taketh Place that of St. *James*, Chap. ii. 24. *Ye ſee then, how that of Works a Man is juſtified, and not of Faith only.* And both of theſe are joined to Salvation, as in St. *Mark* i. 5. *Repent and believe the Goſpel.* And *Luke* xviii. 18. when a certain Ruler aſked our Saviour, what he ought to do to inherit eternal Life, he propounded to him the keeping of the Commandments; which when the Ruler ſaid he had kept, he propounded to him the Faith, *Sell all that thou haſt, and follow me.* And John iii. 36. *He that believeth in the Son, hath everlaſting Life.* And *He that obeyeth not the Son, ſhall not ſee Life.* Where he manifeſtly joineth Obedience and Faith together. And Rom. i. 17. *The Juſt ſhall live by Faith*; not every one, but *the Juſt*. For alſo *the Devils believe and tremble.* But though both Faith and Juſtice (meaning ſtill by Juſtice, not Abſence of Guilt, but the good Intentions of the Mind, which is called Righteouſneſs by God, that taketh the Will for the Deed) be both of them ſaid to juſtify, yet are their Parts in the Act of Juſtification to be diſtinguiſhed. For Juſtice is ſaid to juſtify, not becauſe it abſolveth, but becauſe it denominates him Juſt, and ſetteth him in an Eſtate or Capacity of Salvation, whenſoever he ſhall have Faith. But Faith is ſaid to juſtify, that is, to abſolve, becauſe by it a juſt Man is abſolved of, and forgiven his unjuſt Actions. And thus are reconciled the Places of St. *Paul* and St. *James*; that *Faith only juſtifieth*, and *a Man is not juſtified by Faith only*; and ſhewed how Faith and Repentance muſt concur to Salvation.

11. Theſe Things conſidered, it will eaſily appear, That under the Sovereign Power of a Chriſtian Commonwealth, there is no Danger of Damnation from ſimple Obedience to human Laws; for in that the Sovereign alloweth Chriſtianity, no Man is compelled to renounce that Faith, which is enough for his Salvation, that is to ſay, the fundamental Points. And for other Points, ſeeing they are not neceſſary to Salvation, if we conform our Actions to the Laws, we do not only what we are allowed, but alſo what we are commanded by the Law of Nature, which is the Moral Law taught by our Saviour himſelf. And it is Part of that Obedience which muſt concur to our Salvation.

12. And though it be true, whatſoever a Man doth againſt his Conſcience, is Sin; yet the Obedience in theſe Caſes, is neither Sin, nor againſt the Conſcience. For the Conſcience being nothing elſe but a Man's ſettled Judgment and Opinion, when he hath once transferred his Right of Judging to another, that which ſhall be commanded is no leſs his Judgment, than the Judgment of that other. So that in Obedience to Laws, a Man doth ſtill according to his own Conſcience, but not his private Conſcience. And whatſoever is done contrary to private Conſcience, is then a Sin, when the Laws have left him to his own Liberty, and never elſe.

And then whatſoever a Man doth, not only believing it is ill done, but doubting whether it be ill or not, is done ill, in caſe he may lawfully omit the doing.

13. And as it hath been proved, that a Man muſt ſubmit his Opinions in Matter of Controverſy to the Authority of the Commonwealth; ſo alſo is the ſame confeſs'd by the Practice of every one of them that otherwiſe deny it. For who is there differing in Opinion from another, and thinking himſelf to be in the Right, and the other in the Wrong, that would not think it reaſonable, if he be of the ſame Opinion that the whole State alloweth, that the other ſhould ſubmit his Opinion alſo thereunto; or that would not be content, if not that one or a few Men, yet all the Divines of a whole Nation, or at leaſt an Aſſembly of all thoſe he liketh, ſhould have the Power to determine all the Controverſies of Religion? or, who is there that would not be content to ſubmit his Opinions, either to the Pope, or to a general Council, or to a Provincial Council, or to a Preſbytery of his own Nation? And yet in all theſe Caſes he ſubmitteth himſelf to no greater than human Authority. Nor can a Man be ſaid to ſubmit himſelf to Holy Scripture, that doth not ſubmit himſelf to ſome or other for the Interpretation thereof. Or, why ſhould there be any Church Government at all inſtituted, if the Scripture itſelf could do the Office of a Judge in Controverſies of Faith? But the Truth is apparent, by continual Experience, that Men ſeek not the Liberty of Conſcience, but of their Actions; nor that only, but a farther Liberty of perſuading others to their Opinions; nor that only, for every Man deſireth, that the Sovereign Authority ſhould admit no other Opinions to be maintained, but ſuch as he himſelf holdeth.

14. The Difficulty therefore of obeying both God and Man in a Chriſtian Commonwealth is none: All the Difficulty reſteth in this Point, Whether he that hath received the Faith of Chriſt, having before ſubjected himſelf to the Authority of an Infidel, be diſcharged of his Obedience thereby, or not, in Matters of Religion. In which Caſe it ſeemeth reaſonable to think, that ſince all Covenants of Obedience are entered into for the Preſervation of a Man's Life, if a Man be content without Reſiſtance to lay down his Life, rather than obey the Commands of an Infidel, in ſo hard a Caſe he hath ſufficiently diſcharged himſelf thereof. For no Covenant bindeth farther than to endeavour; and if a Man cannot aſſure himſelf to perform a juſt Duty, when thereby he is aſſured of preſent Death, much leſs can it be expected that a Man ſhould perform that, for which he believeth in his Heart he ſhall be damned eternally. And thus much concerning the Scruple of Conſcience, that may ariſe concerning Obedience to human Laws, in them that interpret the Law of God to themſelves. It remaineth, to remove the ſame Scruple from them, that ſubmit their Controverſies to others not ordained thereunto by the Sovereign Authority. And this I refer to the Chapter following.

CHAP. VII.

1. *The Queſtion propounded, who are the Magiſtrates in the Kingdom of Chriſt.*
2. *The Queſtion exemplified, in the Controverſies between* Moſes *and* Aaron, *and between* Moſes *and* Corah.
3. *Amongſt the* Jews, *the Power Temporal and Spiritual in the ſame Hand.*
4. *Parallel of the twelve Princes of* Iſrael, *and the twelves Apoſtles.*
5. *Parallel of ſeventy Elders, and ſeventy Diſciples.*
6. *The Hierarchy of the Church in our Saviour's Time, conſiſted in the Twelve, and in the Seventy.*
7. *Why Chriſt ordained no Prieſts for Sacrifices, as* Moſes *did.*
8. *The Hierarchy of the Church in the Apoſtles Time, Apoſtles, Biſhops, and Prieſts,*
9. *The Preaching of the Goſpel was not commanding, but perſuading.*
10. *Excommunication. Sovereigns immediate Rulers Eccleſiaſtical under Chriſt.*
11. *That no Man hath any juſt Pretence of Religion againſt Obedience to Commonwealth. God ſpeaketh to Man by his Vicegerents.*

1. IN the former Chapter have been removed thoſe Difficulties oppoſing our Obedience to human Authority, which ariſe from miſunderſtanding of our Saviour's Title and Laws: in the former whereof, namely, his Title, conſiſteth our Faith; and in the latter, our Juſtice. Now they who differ not amongſt themſelves concerning his Title and Laws, may nevertheleſs have different Opinions concerning his Magiſtrates, and the Authority he hath given them. And this is the Cauſe, why many Chriſtians have denied Obedience to their Princes, pretending that our Saviour Chriſt hath not given this Magiſtracy to them but to others. As for Example; ſome ſay, to the Pope univerſally; ſome, to a Synod Ariſtocratical; ſome, to a Synod Democratical in every ſeveral Commonwealth; and the Magiſtrates of Chriſt being they by whom he ſpeaketh, the Queſtion is, Whether he ſpeak unto us by the Pope, or by Convocations of Biſhops and Miniſters, or by them that have the Sovereign Power in every Commonwealth?

2. This Controverſy was the Cauſe of thoſe two Mutinies, that happened againſt *Moſes* in the Wilderneſs. The firſt by *Aaron* and his Siſter *Miriam*, who took upon them to cenſure *Moſes*, for marrying an *Ethiopian* Woman. And the State of the Queſtion between them and *Moſes*, they ſet forth, Numb. xii. 2. in theſe Words, *What hath the Lord ſpoken but only by Moſes? hath he not ſpoken alſo by us? And the Lord heard this*, &c. and puniſhed the ſame in *Miriam*, forgiving *Aaron* upon his Repentance. And this is the Caſe of all them that ſet up the Prieſthood againſt the Sovereignty. The other was of *Corah*, *Dathan* and *Abiram*, who with two hundred and fifty Captains gathered themſeves together againſt *Moſes* and againſt *Aaron*. The State of their Controverſy was this, Whether God were not with the Multitude, as well as with *Moſes*, and every Man as holy as he? For Numb. xvi. 3. thus they ſay, *Ye take too much upon you, ſeeing all the Congregation is holy, every one of them, and the Lord is amongſt them: Wherefore then lift ye up yourſelves above the Congregation of the Lord?* And this is the Caſe of them that ſet up their private Conſciences, and unite themſelves to take the Government of Religion out of the Hands of him or them, that have the Sovereign Power of the Commonwealth: which how well it pleaſeth God, may appear by the hideous Puniſhment of *Corah* and his Accomplices.

3. In the Government therefore of *Moſes* there was no Power, neither Civil, nor Spiritual, that was not derived from him. Nor in the State of *Iſrael* under Kings, was there any earthly Power, by which thoſe Kings were compellable to

any Thing, or any Subject allowed to reſiſt them in any Caſe whatſoever. For though the Prophets by extraordinary Calling, did often admoniſh and threaten them, yet they had no Authority over them. And therefore amongſt the *Jews*, the Power Spiritual and Temporal was always in the ſame Hand.

4. Our Saviour Chriſt, as he was the rightful King of the *Jews* in particular, as well as King of the Kingdom of Heaven, in the ordaining of Magiſtrates, received that Form of Policy which was uſed by *Moſes*. According to the Number of the Children of *Jacob*, *Moſes* took unto him by the Appointment of God, *Numb.* i. 4. twelve Men, every one of the Chief of their Tribe, which were to aſſiſt him in the Muſter of *Iſrael*. And theſe twelve, Verſe 24. are called the *Princes of Iſrael, twelve Men, every one for the Houſe of their Fathers*; which are ſaid alſo, Numb. vii. 2. *to be Heads over the Houſes of their Fathers, and Princes of the Tribes, and over them that were numbered*. And theſe were every one equal amongſt themſelves. In like manner our Saviour took unto him twelve Apoſtles to be next unto him in Authority, of whom he ſaith, *Matth.* xix. 28. *When the Son of Man ſhall ſit in the Throne of his Majeſty, ye which follow me in the Regeneration, ſhall ſit alſo upon twelve Thrones, and judge the twelve Tribes of Iſrael*. And concerning the Equality of the twelve Apoſtles amongſt themſelves, our Saviour ſaith, *Matth.* xx. 25. *Ye know that the Lords of the Gentiles have Dominion over them, &c.* Verſe 26. *But it ſhall not be ſo amongſt you, but whoſoever will be greateſt among you, let him be your Servant*. And *Matth.* xxiii. 11. *He that is greateſt among you, let him be your Servant*. And a little before, Verſe 8. *Be not called Rabbi; for one is your Doctor, Chriſt, and all ye are Brethren*. And *Acts* i. in the chuſing of *Matthias* to be an Apoſtle, though St. *Peter* uſed the Part of a *Prolocutor*, yet did no Man take upon him the Authority of Election, but referred the ſame to Lot.

5. Again, *Moſes* had the Command of God, *Numb.* xi. 16. *Gather to me ſeventy Men of the Elders of Iſrael, whom thou knoweſt that they are the Elders of the People, and Governors over them, and bring them unto the Tabernacle*, &c. And *Moſes* did accordingly, Verſe 24. And theſe were choſen to help *Moſes* in bearing the Burthen of the Government, as appeareth, Verſe 17. of the ſame Chapter. And as the twelve Princes of the Tribes were according to the Number of *Jacob*'s Children, ſo were the ſeventy Elders according to the Number of the Perſons that went down with *Jacob* into *Egypt*. In like manner our Saviour in his Kingdom of Heaven the Church, out of the whole Number of thoſe that believed in him, ordained ſeventy Perſons, which peculiarly were called the ſeventy Diſciples, to whom he gave the Power to preach the Goſpel and baptize.

6. In our Saviour's Time therefore, the Hierarchy of the Church conſiſted (beſides himſelf that was the Head) of twelve Apoſtles, who were equal amongſt themſelves, but ordained over others, as were the Twelve Heads of the Tribes, and ſeventy Diſciples, who had every one of them Power to baptize and teach, and help to govern the whole Flock.

7. And whereas in the Commonwealth inſtituted by *Moſes*, there was not only an High-Prieſt for the preſent, but alſo a Succeſſion and Order of Prieſts; it may be demanded, Why our Saviour did not ordain the like? To which may be anſwered, That the High-Prieſthood, foraſmuch as concerneth the Authority thereof, was in the Perſon of Chriſt, as he was Chriſt, that is, King. So alſo was it in *Moſes*, *Aaron* having the miniſterial part only. For notwithſtanding that *Aaron* was the High-Prieſt, yet the Conſecration of him belonged to *Moſes*, *Exod.* xxix. 1. All the Utenſils of Sacrifice, and other holy Things, were ordered by *Moſes*; and in ſum, the whole *Levitical* Law was delivered by God by the Hand of *Moſes*, who was to *Aaron* a God, and *Aaron* to him a Mouth. And for the miniſterial Part, there could no High-Prieſt be ordained but himſelf; for ſeeing our Saviour was himſelf the Sacrifice, who but himſelf could offer him up? And for the Celebration of that Sacrifice ever after, our Saviour annexed the Prieſthood to thoſe whom he had appointed to govern in the Church.

8. After the Aſcenſion of our Saviour, the Apoſtles diſperſed themſelves for the ſpreading of the Goſpel; and continually as they converted any Number of Men, in any City, or Region, to the Faith, they choſe out ſuch as they thought fitteſt, to direct them in Matter of Converſation and Life, according to Chriſt's Law, and to explicate unto them that Myſtery of Chriſt come in the Fleſh, that is to ſay, to unfold unto them at large the Office of the Meſſiah. And of thoſe Elders, ſome were ſubordinate to others, according as the Apoſtles, who ordained them, thought meet. So St. *Paul* gave *Power* unto *Titus*, to ordain Elders in *Crete*, and to redreſs Things that were amiſs. So that *Titus* was both an Elder, and ordained Elders. Tit. i. 5. *For this Cauſe I left thee in Crete, that thou ſhouldeſt continue to redreſs the Things that remain, and ordain Elders in every City*; where the Word is καταϛήσῃς, that is conſtitute; whereby it appeareth, that in the Apoſtles Times, one Elder had Authority over another, to ordain and rule them. For 1 *Tim.* v. 16. *Timothy* an Elder, is made Judge of Accuſations againſt other Elders. And *Acts* xiv. 23. the Diſciples are ſaid to ordain Elders, for all the Congregations of the Cities they had preached in. And though the Word there be χειροτονήσαντες, yet it ſignifieth not Election by holding up of Hands, but ſimply and abſolutely Ordination. For the ordinary chuſing of Magiſtrates amongſt the *Grecians*, which were all either popularly governed, or elſe by *Oligarchy*, being performed by holding up of Hands, made that Word be taken ſimply, for an Election or Ordination, howſoever made. And thus in the primitive Church, the Hierarchy of the Church, was Apoſtles; Elders that governed other Elders; and Elders that ruled not, but their Office was to preach, to adminiſter the Sacraments, to offer up Prayer and Thankſgiving in the Name of the People. But at that Time there appeared no Diſtinction between the Names of Biſhop and Elder. But immediately after the Apoſtles Time, the Word Biſhop was taken to ſignify ſuch an Elder as had the Government of Elders; and other Elders were called by the Name of Prieſts, which ſignifieth the ſame that Elder doth. And thus the Government of Biſhops hath a Divine Pattern in the twelve Rulers and ſeventy Elders of *Iſrael*, in the twelve Apoſtles and ſeventy Diſciples of our Saviour, in the Ruling-Elders and not Ruling Elders, in the Time of the Apoſtles.

9. And thus much of the Magiſtrates over Chriſt's Flock in the primitive Church. For the Office of a Miniſter or Miniſtreſs was to be ſubject to the Flock, and to ſerve them in thoſe Things which appertained to their temporal Buſineſs. The next Thing to be conſidered is the Authority which our Saviour gave to them, either over thoſe whom they had converted, or thoſe whom they were about to convert. And for theſe latter, which as yet were without the Church, the Authority which our Saviour gave to his Apoſtles was no more but this, To preach unto them that Jeſus was the Chriſt, and to explicate the ſame in all Points, that concern the Kingdom of Heaven, and to perſuade Men to embrace our Saviour's Doctrine, but by no means to compel any Man to be ſubject to them: For ſeeing the Laws of the Kingdom of Heaven, as hath been ſhewed, Part I. Chap. V. Sect. 10. are dictated to the Conſcience only, which is not ſubject to Compulſion and Conſtraint, it was not congruent to the Style of the King of Heaven to conſtrain Men to ſubmit their Actions to him, but to adviſe them only; nor for him that profeſſeth the Sum of his Law to be Love, to extort any Duty from us with Fear of temporal Puniſhment. And therefore as the mighty Men in the World, that hold others in Subjection by Force, are called in Scripture by the Name of *Hunters*; ſo our Saviour calleth thoſe whom he appointed to draw the World unto him, by ſubduing their Affections, *Fiſhers*. And therefore he ſaith to *Peter* and *Andrew*, Matth. iv. 19. *Follow me, and I will make ye Fiſhers of Men*. And Luke x. 3. *Behold* (ſaith Chriſt) *I ſend ye forth as Lambs amongſt Wolves*. And it were to no end to give them the Right of compelling without ſtrengthening the ſame with greater Power than of *Lambs* amongſt *Wolves*. Moreover, *Matth.* x. where our Saviour giveth a Commiſſion to his twelve Apoſtles,

to

to go forth and convert the Nations to the Faith, he giveth them no Authority of *Coercion* and Puniſhment, but only ſaith, Verſe 14. *Whoſoever ſhall not receive you, nor hear your Words, when ye depart out of that Houſe, or that City, ſhake off the Duſt from your Feet. It ſhall be eaſier for the Land of Sodom and Gomorrha in the Day of Judgment, than for that City.* Whereby it is manifeſt, that all that the Apoſtles could do by their Authority, was no more than to renounce Communion with them, and leave their Puniſhment to God Almighty, in the Day of Judgment. Likewiſe the Compariſons of the Kingdom of Heaven to the Seed, *Matt.* xiii. 3. and to the Leaven, *Matt.* xiii. 33. doth intimate unto us that the Increaſe thereof ought to proceed from internal Operation of God's Word preached, and not from any Law or Compulſion of them that preach it. Moreover our Saviour himſelf ſaith, *John* xviii. 36. *That* his *Kingdom is not of this World*; and conſequently his Magiſtrates derive not from him any Authority of puniſhing Men in this World. And therefore alſo, *Matt.* xxvi. 52. After St. *Peter* had drawn his Sword in his Defence, our Saviour ſaith, *Put up thy Sword into his Place. For all that take the Sword, ſhall periſh by the Sword.* And, Verſe 54. *How then ſhall the Scriptures be fulfilled, which ſay, That it muſt be ſo?* ſhewing out of the Scriptures, that the Kingdom of Chriſt was not to be defended by the Sword.

10. But concerning the Authority of the Apoſtles or Biſhops over thoſe who were already converted and within the Church, there be that think it greater than over them without. For ſome have ſaid, *Though the Law of Chriſt deprive no Prince of his Dominion, and Paul did rightly appeal unto Cæſar, whilſt Kings were Infidels and out of the Church; yet when they became Chriſtians, and of their own accord underwent the Laws of the Goſpel, preſently as Sheep to a Shepherd, and as Members to the Head, they became ſubject to the Prelate of the Eccleſiaſtical Hierarchy.* Bell. Lib. de Rom. Pont. Cap. xxix. Which whether it be true or not, is to be conſidered by that Light which we have from the holy Scripture, concerning the Power of our Saviour and his Apoſtles, over ſuch as they had converted. But our Saviour, as he imitated the Commonwealth of the *Jews* in his Magiſtrates, the Twelve and the Seventy, ſo did he alſo in the Cenſure of the Church, which was *Excommunication*; but amongſt the *Jews*, the Church did put the excommunicated Perſons from the Congregation, which they might do by their Power Temporal; but our Saviour and his Apoſtles, who took upon them no ſuch Power, could not forbid the excommunicated Perſon to enter into any Place and Congregation, into which he was permitted to enter by the Prince, or Sovereign of the Place. For that had been to deprive the Sovereign of his Authority. And therefore the Excommunication of a Perſon ſubject to an earthly Power, was but a Declaration of the Church, which did excommunicate, that the Perſon ſo excommunicated was to be reputed ſtill as an Infidel, but not to be driven by their Authority out of any Company, he might otherwiſe lawfully come into. And this is it our Saviour ſaith, Matt. xviii. 17. *If he refuſe to hear the Church, let him be unto thee as an Heathen Man, and a Publican.* So that the whole Effect of excommunicating a Chriſtian Prince, is no more than he or they that ſo excommunicate him depart and baniſh themſelves out of his Dominion. Nor can they thereupon diſcharge any of his Subjects of their Obedience to him; for that were to deprive him of his Dominion; which they may not do, for being out of the Church. It is confeſſed by them that make this Objection, and proved in the former Section, that our Saviour gave no Authority to his Apoſtles to be Judges over them. And therefore in no Caſe can the Sovereign Power of a Commonwealth be ſubject to any Authority Eccleſiaſtical, beſides that of Chriſt himſelf. And though he be informed concerning the Kingdom of Heaven, and ſubject himſelf thereto at the Perſuaſions of Perſons Eccleſiaſtical, yet is he not thereby ſubject to their Government and Rule. For if it were by their Authority he took that Yoke upon him, and not by their Perſuaſion, then by the ſame Authority he might caſt it off. But this is unlawful. For if all the Churches in the World ſhould renounce the Chriſtian Faith, yet is not this ſufficient Authority for any of the Members to do the ſame.

It is manifeſt therefore, that they who have Sovereign Power, are immediate Rulers of the Church under Chriſt, and all other but ſubordinate to them. If that were not, but Kings ſhould command one Thing upon Pain of Death, and Prieſts another, upon Pain of Damnation, it would be impoſſible that Peace and Religion ſhould ſtand together.

11. And therefore there is no juſt Cauſe for any Man to withdraw his Obedience from the Sovereign State, upon Pretence that Chriſt hath ordained any State Eccleſiaſtical above it. And though Kings take not upon them the Miniſterial Prieſthood, yet are they not ſo merely Laick, as not to have Sacerdotal Juriſdiction. To conclude this Chapter; ſince God ſpeaketh not in theſe Days to any Man by his private Interpretation of the Scriptures, nor by the Interpretation of any Power above, or not depending on the Sovereign Power of every Commonwealth, it remaineth, that he ſpeaketh by his Vice-Gods, or Lieutenants here on Earth, that is to ſay, by Sovereign Kings, or ſuch as have Sovereign Authority as well as they.

CHAP. VIII.

1. *The Things that diſpoſe to Rebellion, Diſcontent, Pretence, and Hope of Succeſs.*
2. *Diſcontent that diſpoſeth to Sedition, conſiſteth partly in Fear of Want, or Puniſhment:*
3. *Partly in Ambition.*
4. *Six Heads of Pretences to Rebellion.*
5. *The firſt of them, That Men ought to do nothing againſt Conſcience, confuted.*
6. *The ſecond, That Sovereigns are ſubject to their own Laws, confuted.*
7. *The third, That the Sovereignty is diviſible, confuted.*
8. *The fourth, That Subjects have a Propriety diſtinct from the Dominion of the Sovereign,, confuted.*
9. *The fifth, That the People is a Perſon diſtinct from the Sovereign, confuted.*
10. *The ſixth, That Tyrannicide is lawful, confuted.*
11. *Four Heads of Hope of Succeſs in Rebellion.*
12. *Two Things neceſſary to an Author of Rebellion, much Eloquence, and little Wiſdom.*
13. *That the Authors of Rebellion neceſſarily are to be Men of little Wiſdom.*
14. *That the ſame are neceſſarily eloquent.*
15. *In what Manner they concur to their common Effects.*

1. Hitherto of the Cauſes why, and the Manner how, Men have made Commonwealth. In this Chapter I ſhall ſhew briefly by what Cauſes, and in what Manner they be again deſtroyed; not meaning to ſay any Thing concerning the Diſſolution of a Commonwealth, from foreign Invaſions, which is as it were the violent Death thereof. I ſhall ſpeak only of Sedition, which is alſo the Death of the Commonwealth, but like to that which happeneth to a Man from Sickneſs and Diſtemper. To diſpoſe Men to Sedition, three Things concur. The firſt is Diſcontent; for as long as a Man thinketh himſelf well, and that the preſent Government ſtandeth not in his Way to hinder his Proceeding from well to better, it is impoſſible for him to deſire the Change thereof. The ſecond is Pretence of Right; for though a Man be diſcontent, yet if in his own Opinion there be no juſt Cauſe of ſtirring againſt, or reſiſting the Government eſtabliſhed, nor any Pretence to juſtify his Reſiſtance, and to procure Aid, he will never ſhew it. The third is Hope of Succeſs: For it were Madneſs to attempt without Hope, when to fail, is to die the Death of a Traitor. Without theſe three, Diſcontent, Pretence and Hope, there can be no Rebellion: and when the ſame are all together, there wanteth

nothing thereto, but a Man of Credit to ſet up the Standard, and to blow the Trumpet.

2. And as for Diſcontent, it is of two Sorts: For it conſiſteth either in bodily Pain preſent or expected, or elſe in Trouble of the Mind; (which is the general Diviſion of Pleaſure and Pain, Part I. Chap. VII. Sect. 9.) The Preſence of bodily Pain diſpoſeth not to Sedition; the Fear of it doth. As for Example; when a great Multitude, or Heap of People, have concurred to a Crime worthy of Death, they join together, and take Arms to defend themſelves for Fear thereof. So alſo the Fear of Want, or in preſent Want, the Fear of Arreſts and Impriſonment diſpoſe to Sedition. And therefore great Exactions, though the Right thereof be acknowledged, have cauſed great Seditions. As in the Time of *Henry* VII. the Seditions of the *Corniſh* Men, that refuſed to pay a Subſidy, and under Conduct of the Lord *Audley*, gave the King Battle upon *Black Heath*; and that of the *Northern People*, who in the ſame King's Time, for demanding a Subſidy granted in Parliament, murthered the Earl of *Northumberland* in his Houſe.

3. Thirdly, The other Sort of Diſcontent which troubleth the Mind of them who otherwiſe live at Eaſe, without Fear of Want, or Danger of Violence, ariſeth only from a Senſe of their Want of that Power, and that Honour and Teſtimony thereof, which they think is due unto them. For all Joy and Grief of Mind conſiſting (as hath been ſaid Part I. Chap. IX. Sect. 21.) in a Contention for Precedence to them with whom they compare themſelves; ſuch Men muſt needs take it ill, and be grieved with the State, as finding themſelves poſtponed to thoſe in Honour, whom they think they excel in Virtue and Ability to govern. And this is it for which they think themſelves regarded but as Slaves. Now ſeeing Freedom cannot ſtand together with Subjection, Liberty in a Commonwealth is nothing but Government and Rule, which becauſe it cannot be divided, Men muſt expect in common; and that can be no where but in the popular State, or Democracy. And *Ariſtotle* ſaith well, Lib. VI. C. II. of his Politics, *The Ground or Intention of a Democracy is Liberty.* Which he confirmeth in theſe Words: *For Men ordinarily ſay this, That no Man can partake of Liberty, but only in a Popular Commonwealth.* Whoſoever therefore in a Monarchical Eſtate, where the Sovereign Power is abſolutely in one Man, claimeth Liberty, claimeth (if the hardeſt Conſtruction ſhould be made thereof) either to have the Sovereignty in his Turn, or to be Collegue with him that hath it, or to have the Monarchy to be changed into a Democracy. But if the ſame be conſtrued (with Pardon of that unſkilful Expreſſion) according to the Intention of him that claimeth, then doth he thereby claim no more but this, That the Sovereign ſhould take Notice of his Ability and Deſerving, and put him into Employment and Place of ſubordinate Government, rather than others that deſerve leſs. And as one claimeth, ſo doth another, every Man eſteeming his own Deſert greateſt. Amongſt all thoſe that pretend to, or are ambitious of ſuch Honour, a few only can be ſerved, unleſs it be in a *Democracy*; the reſt therefore muſt be diſcontent. And ſo much of the firſt Thing that diſpoſeth to Rebellion, namely, Diſcontent, conſiſting in Fear and Ambition.

4. The ſecond Thing that diſpoſeth to Rebellion, is *Pretence of Right.* And that is, when Men have an Opinion, or pretend to have an Opinion, that in certain Caſes they may lawfully reſiſt him or them that have the Sovereign Power, or deprive him or them of the Means to execute the ſame. Of which Pretences there be ſix ſpecial Caſes. One is, when the Command is againſt their Conſcience, and they believe it is unlawful for a Subject at the Command of the Sovereign Power to do any Action, which he thinketh in his Conſcience not lawful for him to do, or to omit any Action, which he thinketh not lawful for him to omit. Another is, when the Command is againſt the Laws, and they think the Sovereign Power in ſuch Sort obliged to his own Laws, as the Subject is; and that when he performeth not his Duty, they may reſiſt his Power. A third is, when

they receive Commands from ſome Man or Men, and a *Superſedeas* to the ſame from others, and think the Authority is equal, as if the Sovereign Power were divided. A fourth is, when they are commanded to contribute their Perſons or Money to the Public Service, and think they have a Propriety in the ſame diſtinct from the Dominion of the Sovereign Power; and that therefore they are not bound to contribute their Goods and Perſons, no more than every Man ſhall of himſelf think fit. A fifth, when the Commands ſeem hurtful to the People; and they think every one of them, that the Opinion and Senſe of the People is the ſame with the Opinion of himſelf, and thoſe that conſent with him; calling by the Name of People, any Multitude of his own Faction. The ſixth is, when the Commands are grievous; and they account him that commandeth grievous Things, a Tyrant; and Tyrannicide, that is, the killing of a Tyrant, not only lawful, but alſo laudable.

5. All theſe Opinions are maintained in the Books of the *Dogmatics*, and divers of them taught in public Chairs, and nevertheleſs are moſt incompatible with Peace and Government, and contradictory to the neceſſary and demonſtrable Rules of the ſame. And for the firſt, namely, That a Man may lawfully do or omit any thing againſt his Conſcience, and from whence ariſe all Seditions concerning Religion and Eccleſiaſtical Government, it hath been plainly declared in the two laſt Chapters, that ſuch Opinion is erroneous. For thoſe two Chapters have been wholly ſpent to prove, That Chriſtian Religion not only forbiddeth not, but alſo commandeth, that in every Commonwealth, every Subject ſhould in all Things, to the uttermoſt of his Power, obey the Commands of him or them that is the Sovereign thereof; and that a Man in ſo obeying, doth according to his Conſcience and Judgment, as having depoſited his Judgment in all Controverſies in the Hands of the Sovereign Power; and that this Error proceedeth from the Ignorance of what and by whom God Almighty ſpeaketh.

9. As for the ſecond Opinion, which is this, That the Sovereign is in ſuch Sort obliged to his own Laws, as the Subject is; the contrary thereof hath been ſhewed, Part II. Chap. I. Sect. 7, 8, 9, 10, 11, 12, by which it appeareth, that the Sovereign Power is not to be reſiſted; that it carrieth the Sword both of War and Juſtice; that it hath the Right of deciding all Controverſies both judicial and deliberative; that it hath the making of all the Laws Civil; that it appointeth Magiſtrates and Public Miniſters, and that it implieth an univerſal Impunity. How then can he or they be ſaid to be ſubject to the Laws which they may abrogate at their Pleaſure, or break without Fear of Puniſhment? And this Error ſeemeth to proceed from this, That Men ordinarily underſtand not aright, what is meant by this Word *Law*, confounding Law and Covenant, as if they ſignify the ſame Thing. But Law implieth a Command; Covenant is but a Promiſe. And not every Command is a Law, but only (Part. I. Chap. XIII. Sect. 6.) when the Command is the Reaſon of our doing the Action commanded. And then only is the Reaſon of our Actions in the Command, when the omitting is therefore hurtful, becauſe the Action was commanded, not becauſe it was hurtful of itſelf; and doing contrary to a Command, were not at all hurtful, if there were not a Right in him that commandeth to puniſh him that ſo doth. He or they that have all Puniſhments in their own diſpoſing, cannot be ſo commanded as to receive Hurt for diſobeying, and conſequently no Command can be a Law unto them. It is an Error therefore to think, that the Power which is virtually the whole Power of the Commonwealth, and which in whomſoever it reſideth, is uſually called Supreme, or Sovereign, can be ſubject to any Law but that of God Almighty.

7. The third Opinion, *That the Sovereign Power may be divided*, is no leſs an Error than the former, as hath been proved, Part II. Chap. I. Sect. 15. And if there were a Commonwealth, wherein the Rights of Sovereignty were divided, we muſt confeſs with *Bodin*, Lib. II. Chap. I. *de Repub.* That they are not rightly to be called Commonwealths, but the Corruption of Commonwealths. For if one

one Part ſhould have Power to make Laws for all, they would by their Laws at their Pleaſure forbid others to make Peace or War, to levy Taxes, or to yield Fealty and Homage without their Leave; and they that had the Right to make Peace and War, and command the *Militia*, would forbid the making of other Laws than what themſelves liked. And though Monarchies ſtand long, wherein the Right of Sovereignty hath ſeemed ſo divided, becauſe Monarchy of itſelf is a durable kind of Government, yet Monarchs have been thereby divers times thruſt out of their Poſſeſſion. But the Truth is, that the Right of Sovereignty is ſuch, as he or they that have it cannot (though they would) give away any Part thereof, and retain the reſt. As for Example: If we ſhould ſuppoſe the People of *Rome* to have had the abſolute Sovereignty of the *Roman* State, and to have choſen them a Council of State by the Name of the Senate, and that to this Senate they had given the ſupreme Power of making Laws, reſerving nevertheleſs to themſelves in direct and expreſs Terms, the whole Right and Title of the Sovereignty; (which may eaſily happen amongſt them that ſee not the inſeparable Connexion between the Sovereign Power, and the Power of making Laws): I ſay, this Grant of the People to the Senate is of no Effect, and the Power of making Laws is in the People ſtill. For the Senate underſtanding it to be the Will and Intention of the People to retain the Sovereignty, ought not to take that for granted, which was contradictory thereto, and paſſed by Error. For Part I. Chap. XIII. Sect. 9. in contradictory Promiſes, that which is directly promiſed, is preferred before that which is oppoſite thereunto by Conſequence; becauſe the Conſequence of a Thing is not always ſo clear, as is the Thing itſelf. The Error concerning mixt Government hath proceeded from want of underſtanding what is meant by this Word *Body Politic*, and how it ſignifieth not the Concord, but the Union of many Men. And though in the Chapters of ſubordinate Corporations, a Corporation being declared to be one Perſon in Law, yet the ſame hath not been taken notice of in the Body of Commonwealth or City, nor have any of thoſe innumerable Writers of Politics obſerved any ſuch Union.

8. The fourth Opinion, to wit, That Subjects have their *Meum*, *Tuum*, and *Suum*, in Property, not only by Virtue of the Sovereign Power over them all, diſtinct from one another, but alſo againſt the Sovereign himſelf, by which they would pretend to contribute nothing to the Public but what they pleaſe, hath been already confuted, by proving the Abſoluteneſs of the Sovereignty, and more particularly, Part II. Chap. V. Sect. 2. and ariſeth from this, That they underſtand not ordinarily that before the Inſtitution of Sovereign Power, *Meum* and *Tuum* implied no Propriety, but a Community, where every Man had Right to every Thing, and was in a State of War with every Man.

9. The fifth Opinion, *That the People is a diſtinct Body from him or them that have the Sovereignty over them*, is an Error already confuted Part II. Chap. II. Sect. 11. where is ſhewed, that when Men ſay, *The People rebelleth*, it is to be underſtood of thoſe particular Perſons only, and not of the whole Nation. And when the People claim any Thing otherwiſe than by the Voice of the Sovereign Power, it is not the Claim of the People, but only of thoſe particular Men, that claim in their own Perſons. And this Error ariſeth from the Equivocation of the Word *People*.

10. Laſtly, for the Opinion, *That Tyrannicide is lawful*, meaning by a Tyrant, any Man in whom reſideth the Right of Sovereignty, it is no leſs falſe and pernicious to human Society, than frequent in the Writings of thoſe Moral Philoſophers, *Seneca* and others, ſo greatly eſteemed amongſt us. For when a Man hath the Right of Sovereignty, he cannot juſtly be puniſhed, as hath been often ſhewed already, and therefore much leſs depoſed, or put to Death. And howſoever he might deſerve Puniſhment, yet Puniſhment is unjuſt without Judgment preceding, and Judgment unjuſt without Power of Judicature, which a Subject hath not over a Sovereign. But this Doctrine proceedeth from the Schools of *Greece*, and from thoſe that writ in the *Roman* State, in which not only the Name of a Tyrant, but of a King, was hateful.

11. Beſides *Diſcontent* to the diſpoſing of a Man to Rebellion, and *Pretence*, there is required in the third Place, *Hope of Succeſs*, which conſiſteth in four Points. 1. That the Diſcontented have mutual Intelligence. 2. That they have ſufficient Number. 3. That they have Arms. 4. That they agree upon an Head. For theſe four muſt concur to the making of one Body of Rebellion, in which Intelligence is the Life, Number the Limbs, Arms the Strength, and an Head the Unity, by which they are directed to one and the ſame Action.

12. The Authors of Rebellion, that is, the Men that breed theſe Diſpoſitions to rebel in others, of Neceſſity muſt have in them theſe three Qualities. 1. To be diſcontented themſelves. 2. To be Men of mean Judgment and Capacity. And 3, to be eloquent Men or good Orators. And as for their Diſcontent, from whence it may proceed, hath been already declared. And for the ſecond and third, I am to ſhew now, firſt, how they may ſtand together; for it ſeemeth a Contradiction, to place ſmall Judgment and great Eloquence, or (as they call it) powerful Speaking, in the ſame Man. And then in what Manner they concur, to diſpoſe other Men to Sedition.

13. It was noted by *Salluſt*, That in *Catiline* (who was Author of the greateſt Sedition that ever was in *Rome)* there was *Eloquentiæ ſatis, Sapientiæ parum*; *Eloquence ſufficient*, but *little Wiſdom*. And perhaps this was ſaid of *Catiline*, as he was *Catiline:* But it was true of him as an Author of Sedition. For the Conjunction of theſe two Qualities made him not *Catiline*, but Seditious. And that it may be underſtood, how Want of *Wiſdom*, and Store of *Eloquence* may ſtand together, we are to conſider, what it is we call Wiſdom, and what Eloquence. And therefore I ſhall here again remember ſome things, that have been ſaid already, Part. I. Chap. V. VI. It is manifeſt, that Wiſdom conſiſteth in Knowledge. Now of Knowledge there are two Kinds; whereof the one is the Remembrance of ſuch Things, as we have conceived in our Senſes, and of the Order, in which they follow one another. And this *Knowledge* is called *Experience*; and the Wiſdom that proceedeth from it, is that Ability to conjecture by the preſent, of what is paſt, and to come, which Men call *Prudence*. This being ſo, it is manifeſt preſently, that the Author of Sedition, whoſoever he be, muſt not be prudent. For if he conſider and take his Experience aright, concerning the Succeſs which they have had, who have been the Movers and Authors of Sedition, either in this or any other State, he ſhall find, that for one Man that hath thereby advanced himſelf to Honour, twenty have come to a reproachful End. The other Kind of Knowledge, is the Remembrance of the Names or Appellations of Things, and how every Thing is called, which is in Matters of common Converſation, a Remembrance of Pacts and Covenants of Men made amongſt themſelves, concerning how to be underſtood of one another. And this Kind of Knowledge is generally called Science, and the Concluſions thereof Truth. But when Men remember not how Things are named, by general Agreement, but either miſtake and miſ-name Things, or name them aright by chance, they are not ſaid to have Science, but Opinion, and the Concluſions thence proceeding, are uncertain, and for the moſt part erroneous. Now that Science in particular, from which proceed the true and evident Concluſions of what is right and wrong, and what is good and hurtful to the Being and Well-being of Mankind, the Latins call *Sapientia*, and we by the general Name of Wiſdom. For generally, not he that hath Skill in Geometry, or any other Science Speculative, but only he that underſtandeth what conduceth to the good Government of the People, is called a wiſe Man. Now that no Author of Sedition can be wiſe in this Acceptation of the Word, is ſufficiently proved, in that it hath been already demonſtrated, that no Pretence of Sedition can be right or juſt. And therefore the Authors of Sedition muſt be ignorant of the Right of State, that is to ſay, unwiſe. It remaineth therefore, that they be ſuch, as name Things, not according to their true and generally agreed upon Names, but call Right and Wrong, Good and Bad, according to their Paſſions, or according to the Authorities of ſuch as they admire, as *Ariſtotle*, *Cicero*, *Seneca*, and others of like

Authority, who have given the Names of Right and Wrong, as their Paſſions have dictated; or have followed the Authority of other Men, as we do theirs. It is required therefore in an Author of Sedition, that he think right, that which is wrong; and profitable, that which is pernicious; and conſequently that there be in him *Sapientiæ parum*, little Wiſdom.

14. Eloquence is nothing elſe but the Power of winning Belief of what we ſay. And to that End we muſt have Aid from the Paſſions of the Hearer. Now to Demonſtration and Teaching of the Truth, there are required long Deductions and great Attention, which is unpleaſant to the Hearer. Therefore they which ſeek not Truth, but Belief, muſt take another Way, and not only derive what they would have to be believed, from ſomewhat believed already, but alſo by Aggravations and Extenuations, make Good and Bad, Right and Wrong, appear great or leſs, according as it ſhall ſerve their Turns. And ſuch is the Power of Eloquence, as many times a Man is made to believe thereby, that he ſenſibly feeleth Smart and Damage, when he feeleth none; and to enter into Rage and Indignation, without any other Cauſe than what is in the Words and Paſſion of the Speaker. This conſidered, together with the Buſineſs that he hath to do, who is the Author of Rebellion, namely, to make Men believe that their Rebellion is juſt, their Diſcontents grounded upon great Injuries, and their Hopes great; there needeth no more to prove, there can be no Author of Rebellion that is not an eloquent and powerful Speaker, and withal, (as hath been ſaid before) a Man of little Wiſdom. For the Faculty of ſpeaking powerfully, conſiſteth in an Habit gotten of putting together paſſionate Words, and applying them to the preſent Paſſions of the Hearer.

15. Seeing then Eloquence and Want of Diſcretion concur to the ſtirring of Rebellion, it may be demanded, What Part each of theſe acteth therein? The Daughters of *Pelias* King of *Theſſaly*, deſiring to reſtore their old decrepid Father to the Vigour of his Youth, by the Counſel of *Medea* chopped him in Pieces, and ſet him a boiling with I know not what Herbs in a Cauldron, but could not revive him again. So when Eloquence and Want of Judgment go together, Want of Judgment, like the Daughters of *Pelias*, conſenteth through Eloquence, which is as the Witchcraft of *Medea*, to cut the Commonwealth in Pieces, upon Pretence, or Hope of Reformation, which when Things are in Combuſtion, they are not able to effect.

CHAP. IX.

1. *The Law over Sovereigns,* Salus populi.
2. *That Sovereigns ought to eſtabliſh the Religion they hold, for beſt.*
3. *That to forbid unnatural Copulation, promiſcuous Uſe of Women,* &c. *is the Law of Nature.*
4. *That to leave Man as much Liberty as may be,* &c. *is the Duty of a Sovereign by the Law of Nature.*
5. Meum *and* Tuum, *to be ſet out to the Subjects, diſtinct from one another,* &c. *a Duty of Sovereigns by the Law of Nature.*
6. *An extraordinary Power for judging the Abuſes of Magiſtrates, neceſſary,* &c.
7. *The ſuppreſſing of Popularity,* &c. *neceſſary,* &c.
8. *The Inſtruction of Youth,* &c. *neceſſary,* &c.
9. *Avoiding of unneceſſary War, a neceſſary Duty of the Sovereign,* &c.

1. HAving hitherto ſet forth how a Body Politic is made, and how it may be deſtroyed, this Place requireth to ſay ſomething concerning the Preſervation of the ſame, not purpoſing to enter into the Particulars of the Art of Govern-

ment, but to ſum up the general Heads, wherein ſuch Art is to be employ'd, and in which conſiſteth the Duty of him or them that have the ſovereign Power. For the Duty of a Sovereign conſiſteth in the good Government of the People. And although the Acts of ſovereign Power be no Injuries to the Subjects who have conſented to the ſame by their implicit Wills, yet when they tend to the Hurt of the People in general, they be Breaches of the Law of Nature, and of the Divine Law; and conſequently, the contrary Acts are the Duties of Sovereigns, and required at their Hands to the utmoſt of their Endeavour, by God Almighty, under the Pain of eternal Death. And as the Art and Duty of Sovereigns conſiſt in the ſame Acts, ſo alſo doth their Profit. For the End of Art, is Profit; and governing to the Profit of the Subjects, is governing to the Profit of the Sovereign; as hath been ſhewed, Part II. Chap. V. Sect. 1. And theſe three, 1. The Law over them that have ſovereign Power: 2. Their Duty: 3. Their Profit: are one and the ſame Thing, contained in this Sentence, *Salus Populi Suprema Lex.* By which muſt be underſtood, not the mere Preſervation of their Lives, but generally their Benefit and Good. So that this is the general Law for Sovereigns, *That they procure to the uttermoſt of their Endeavour, the Good of the People.*

2. And foraſmuch as eternal is better than temporal Good, it is evident, that they who are in ſovereign Authority, are by the Law of Nature obliged to further the eſtabliſhing of all ſuch Doctrines and Rules, and the commanding of all ſuch Actions, as in their Conſcience they believe to be the true Way thereunto. For unleſs they do ſo, it cannot be ſaid truly, that they have done the uttermoſt of their Endeavour.

3. For the temporal Good of the People, it conſiſteth in four Points: 1. Multitude: 2. Commodity of Living: 3. Peace amongſt themſelves: 4. Defence againſt foreign Power. Concerning Multitude, it is the Duty of them that are in ſovereign Authority to increaſe the People, inaſmuch as they are Governors of Mankind under God Almighty, who having created but one Man and one Woman, declared, that it was his Will they ſhould be multiplied and increaſed afterwards. And ſeeing this is to be done by Ordinances concerning Copulation, they are by the Law of Nature bound to make ſuch Ordinances concerning the ſame, as may tend to the Increaſe of Mankind. And hence it cometh, that in them who have ſovereign Authority, not to forbid ſuch Copulations as are againſt the Uſe of Nature; not to forbid the promiſcuous Uſe of Women; not to forbid one Woman to have many Huſbands; not to forbid Marriages within certain Degrees of Kindred and Affinity, are againſt the Law of Nature. For though it be not evident, that a private Man living under the Law of natural Reaſon only, doth break the ſame, by doing any of the Things aforeſaid; yet it is manifeſtly apparent, that being ſo prejudicial as they are to the Improvement of Mankind, that not to forbid the ſame, is againſt the Law of natural Reaſon, in him that hath taken into his Hands any Portion of Mankind to improve.

4. The Commodity of living conſiſteth in Liberty and Wealth. By Liberty, I mean, that there be no Prohibition without Neceſſity, of any Thing to any Man, which was lawful to him in the Law of Nature; that is to ſay, That there be no Reſtraint of natural Liberty, but what is neceſſary for the Good of the Commonwealth; and that well-meaning Men may not fall into the Danger of Laws, as into Snares, before they be aware. It appertaineth alſo to this Liberty, that a Man may have commodious Paſſage from Place to Place, and not be impriſoned or confined with the Difficulty of Ways, and Want of Means for Tranſportation of Things neceſſary. And for the Wealth of People, it conſiſteth in three Things: The well ordering of Trade; procuring of Labour; and forbidding the ſuperfluous conſuming of Food and Apparel. All thoſe therefore that are in ſovereign Authority, and have taken upon them the Government of the People, are bound by the Law of Nature to make Ordinances conſiſting in the Points afore-named, it being contrary to the Law of Nature, unneceſſarily, either for one's own Fancy, to inthral,

thral, or tye Men ſo, as they cannot move without Danger; or to ſuffer them whoſe Maintenance is our Benefit, to want any Thing neceſſary for them, by our Negligence.

5. For maintaining of Peace at Home, there be ſo many Things neceſſarily to be conſidered, and taken order in, as there be ſeveral Cauſes concurring to Sedition. And firſt, it is neceſſary to ſet out to every Subject, his Propriety, and diſtinct Lands and Goods, upon which he may excercife, and have the Benefit of his own Induſtry, and without which, Men would fall out among themſeves, as did the Herdſmen of *Abraham* and *Lot*, every Man incroaching and uſurping as much of the common Benefit as he can, which tendeth to Quarrel and Sedition. Secondly, to divide the Burthens and Charges of the Commonwealth proportionably. Now there is a *Proportionably* to every Man's Ability, and there is a *Proportionably* to his Benefit by Commonwealth: And this latter is it, which is according to the Law of Nature. For the Burdens of the Commonwealth being the Price that we pay for Benefit thereof, they ought to be meaſured thereby. And there is no Reaſon, when two Men equally enjoying by the Benefit of the Commonwealth, their Peace and Liberty, to uſe their Induſtry to get their Livings, whereof one ſpareth, and layeth up ſomewhat, the other ſpendeth all he gets, why they ſhould not equally contribute to the common Charge. That ſeemeth therefore to be the moſt equal Way of dividing the Burden of public Charge, when every Man ſhall contribute according to what he ſpendeth, and not according to what he gets. And this is then done, when Men pay the Commonwealth's Part in the Payments they make for their own Proviſion. And this ſeemeth not only moſt equal, but alſo leaſt ſenſible, and leaſt to trouble the Mind of them that pay it. For there is nothing ſo aggravateth the Grief of parting with Money to the Public, as to think they are over-rated, and that their Neighbours whom they envy, do thereupon inſult over them, and this diſpoſeth them to Reſiſtance, and (after that ſuch Reſiſtance hath produced a Miſchief) to Rebellion.

6. Another Thing neceſſary for the maintaining of Peace, is the due Execution of Juſtice, which conſiſteth principally in the right Performance of their Duties, which are the Magiſtrates, ordained for the ſame by and under the Authority of the Sovereign Power; which being private Men in Reſpect of the Sovereign, and conſequently ſuch as may have private Ends, whereby they may be corrupted with Gifts, or Interceſſion of Friends, ought to be kept in awe by an higher Power, leſt People (grieved by their Injuſtice) ſhould take upon them to make their own Revenges, to the Diſturbance of the common Peace: which no Way can be avoided in the principal Magiſtrates, without the Judicature of the Sovereign himſelf, or ſome extraordinary Power delegated by him. It is therefore neceſſary, that there be a Power extraordinary, as there ſhall be Occaſion from Time to Time, for the Syndication of Judges and other Magiſtrates, that ſhall abuſe their Authority, to the Wrong and Diſcontent of the People; and a free and open Way for the preſenting of Grievances to him or them that have the Sovereign Authority.

7. Beſides theſe Conſiderations, by which are prevented the Diſcontents that ariſe from Oppreſſion, there ought to be ſome Means for the keeping under of thoſe, that are diſpoſed to Rebellion by Ambition; which conſiſt principally in the Conſtancy of him that hath the ſovereign Power, who ought therefore conſtantly to grace and encourage ſuch, as being able to ſerve the Commonwealth, do nevertheleſs contain themſelves within the Bounds of Modeſty, without repining at the Authority of ſuch as are employ'd, and without aggravating the Errors, which (as Men) they may commit, eſpecially, when they ſuffer not in their own Particular; and conſtantly to ſhew Diſpleaſure and Diſlike of the contrary. And not only ſo, but alſo to ordain ſevere Puniſhments for ſuch, as ſhall by Reprehenſion of public Actions, affect Popularity and Applauſe amongſt the Multitude, by which they may be enabled to have a Faction in the Commonwealth at their Devotion.

8. Another Thing neceſſary, is the rooting out of the Conſciences of Men, all thoſe Opinions which ſeem to juſtify and give Pretence of Right to rebellious Actions; ſuch as are the Opinions, That a Man can do nothing lawfully againſt his private Conſcience; that they who have the Sovereignty are ſubject to the Civil Laws; that there is any Authority of Subjects, whoſe Negative may hinder the Affirmative of the Sovereign Power; that any Subject hath a Propriety diſtinct from the Dominion of the Commonwealth; that there is a Body of the People without him or them that have the Sovereign Power; and that any lawful Sovereign may be reſiſted under the Name of a Tyrant; which Opinions are they, which, Part II. Chap. VIII. Sect. 5, 6, 7, 8, 9, 10, have been declared to diſpoſe Men to Rebellion. And becauſe Opinions which are gotten by Education, and in length of Time are made habitual, cannot be taken away by Force, and upon the ſudden; they muſt therefore be taken away alſo by Time and Education. And ſeeing the ſaid Opinions have proceeded from private and public Teaching, and thoſe Teachers have received them from Grounds and Principles, which they have learned in the Univerſities, from the Doctrine of *Ariſtotle* and others, who have delivered nothing concerning Morality and Policy demonſtratively, but being paſſionately addicted to popular Government, have inſinuated their Opinions by eloquent Sophiſtry. There is no Doubt, if the true Doctrine concerning the Law of Nature, and the Properties of a Body Politic, and the Nature of Law in general, were perſpicuouſly ſet down and taught in the Univerſities, but that young Men, who come thither void of Prejudice, and whoſe Minds are as white Paper, capable of any Inſtruction, would more eaſily receive the ſame, and afterward teach it to the People, both in Books and otherwiſe, than now they do the contrary.

9. The laſt Thing contained in that ſupreme Law *Salus Populi*, is their Defence, and conſiſteth partly in the Obedience and Unity of the Subjects, of which hath been already ſpoken, and in which conſiſteth the Means of levying Soldiers, and of having Money, Arms, Ships, and fortified Places in Readineſs for Defence; and partly, in the avoiding of unneceſſary Wars. For ſuch Commonwealths, or ſuch Monarchs as affect War for itſelf, that is to ſay, out of Ambition or of Vain-glory, or that make account to revenge every little Injury, or Diſgrace done by their Neighbours, if they ruin not themſelves, their Fortune muſt be better than they have Reaſon to expect.

CHAP. X.

1. *All Expreſſions,* &c. *concerning future Actions, are either Covenant, Counſel, or Command.*
2. *The Difference between a Law and a Covenant.*
3. *The Command of him whoſe Command is Law in one Thing, is Law in every Thing.*
4. *The Difference between Law and Counſel.*
5. *The Difference between* Jus *and* Lex.
6. *The Diviſion of Laws,* &c.
7. *That the Divine Moral Law, and the Law of Nature, is the ſame.*
8. *That the Civil Laws are the common Meaſure of Right and Wrong,* &c.
9. *Martial Law in Civil Law.*
10. *Written Laws,* &c. *Unwritten,* &c. *Cuſtoms and Opinions,* &c.

1. THUS far concerning the Nature of Man, and the Conſtitution and Properties of a Body Politic. There remaineth only for the laſt Chapter, to ſpeak of the Nature and Sorts of Law. And firſt, it is manifeſt, that all Laws are Declarations of the Mind, concerning ſome Action future to be done, or omitted. And all Declarations and Expreſſions of the Mind concerning ſome

future Actions and Omiſſions, are either *promiſſive*; as *I will do, or not do*; or *proviſive*, as for Example, *If this be done or not done, this will follow*; or *imperative*, as *Do this, or do it not*. In the firſt Sort of theſe Expreſſions, conſiſteth the Nature of a Covenant; in the ſecond, conſiſteth Counſel; in the third, Command.

2. It is evident when a Man doth, or forbeareth to do any Action, if he be moved thereto by this only Conſideration, that the ſame is good or evil in itſelf; and that there be no Reaſon why the Will or Pleaſure of another ſhould be of any Weight in his Deliberation, that then neither to do nor omit the Action deliberated, is any Breach of Law. And conſequently, whatſoever is a Law to a Man, reſpecteth the Will of another, and the Declaration thereof. But a Covenant is a Declaration of a Man's own Will. And therefore a Law and a Covenant differ; and though they be both obligatory, and a Law obligeth no otherwiſe than by Virtue of ſome Covenant made by him who is ſubject thereunto, yet they oblige by ſeveral Sorts of Promiſes. For a Covenant obligeth by Promiſe of an Action, or Omiſſion eſpecially named and limited; but a Law bindeth by a Promiſe of Obedience in general, whereby the Action to be done, or left undone, is referred to the Determination of him, to whom the Covenant is made. So that the Differences between a Covenant, and a Law, ſtandeth thus: In ſimple Covenant, the Action to be done, or not done, is firſt limited and made known, and then followeth the Promiſe to do or not do; but in a Law, the Obligation to do or not do, precedeth, and the Declaration what is to be done, or not done, followeth after.

3. And from this may be deduced, that which to ſome may ſeem a *Paradox, That the Command of him whoſe Command is a Law in one Thing, is a Law in every Thing*. For ſeeing a Man is obliged to Obedience before what he is to do be known, he is obliged to obey in general, that is to ſay, in every Thing.

4. That the Counſel of a Man is no Law to him that is counſelled, and that he who alloweth another to give him Counſel, doth not thereby oblige himſelf to follow the ſame, is manifeſt enough. And yet Men uſually call Counſelling, by the Name of Governing; not that they are not able to diſtinguiſh between them, but becauſe they envy many Times thoſe Men that are called to Counſel, and are therefore angry with them that they are conſelled. But if to Counſellors there ſhould be given a Right to have their Counſel followed, then are they no more Counſellors, but Maſters of them whom they counſel; and their Counſels no more Counſels, but Laws. For the Difference between a Law and a Counſel being no more but this, that in Counſel the Expreſſion is, *Do, becauſe it is beſt*; in a Law, *Do, becauſe I have a Right to compel you*; or *Do, becauſe I ſay, Do*; then Counſel ſhould give the Reaſon of the Action it adviſeth to, becauſe the Reaſon thereof itſelf, is no more Counſel, but a Law.

5. The Names *Lex* and *Jus*, that is to ſay, Law and Right, are often confounded, and yet ſcarce are there any two Words of more contrary Signification. For Right is that Liberty which Law leaveth us, and Laws thoſe Reſtraints by which we agree mutually to abridge one another's Liberty. Law and Right therefore are no leſs different than Reſtraint and Liberty, which are contrary; and whatſoever a Man doth, that liveth in a Commonwealth *Jure*, he doth it *Jure Civili*, *Jure Naturæ*, and *Jure Divino*. For whatſoever is againſt any of theſe Laws, cannot be ſaid to be *Jure*. For the Civil Law cannot make that to be done *Jure*, which is againſt the Law *Divine*, or of *Nature*. And therefore whatſoever any Subject doth, if it be contrary to the Civil Law, and whatſoever a Sovereign doth, if it be not againſt the Law of Nature, he doth it *Jure Divino*, by *Divine Right*. But to ſay *Lege Divinâ*, by *Divine Law*, is another Thing. For the Laws of God and Nature allowing greater Liberty than is allowed by the Law Civil; (for ſubordinate Laws do ſtill bind more than ſuperior Laws, the Eſſence of Law being not to looſe, but to bind) a Man may be commanded that by a Law Civil, which is not commanded by the Law of Nature, nor by the Law Divine. So that of Things done *Lege*, that is to ſay, by Command of the Law, there is ſome Place for a Diſtinction be-

tween *Lege Divinâ*, and *Lege Civili*. As when a Man giveth an Alms, or helpeth him that is in need, he doth it not *Lege Civili*, but *Lege Divinâ*, by the Divine Law, the Precept whereof is *Charity*. But for Things that are done *Jure*, nothing can be ſaid to be done *Jure Divino*, that is not alſo *Jure Civili*, unleſs it be done by them that having Sovereign Power, are not ſubject to the Civil Law.

6. The Differences of Laws, are according to the Differences, either of the Authors and Lawmakers, or of the Promulgation, or of thoſe that are ſubject to them. From the Difference of the Authors, or Lawgivers, cometh the Diviſion of Law into *Divine*, *Natural*, and *Civil*. From the Difference of Promulgation, proceedeth the Diviſion of Laws into *written* and *unwritten*. And from the Difference of the Perſons to whom the Law appertaineth, it proceedeth, that ſome Laws are called ſimply Laws, and ſome Penal. As for example, *Thou ſhalt not ſteal*, is ſimply a Law; but this, *He that ſtealeth an Ox, ſhall reſtore four-fold*, is a Penal, or as others call it, a Judicial Law. Now in thoſe Laws which are ſimply Laws, the Commandment is addreſſed to every Man; but in Penal Laws the Commandment is addreſſed to the Magiſtrate, who is only guilty of the Breach of it, when the Penalties ordained are not inflicted; to the reſt appertaineth nothing, but to take notice of their Danger.

7. As for the firſt Diviſion of Law into *Divine*, *Natural*, and *Civil*, the firſt two Branches are one and the ſame Law. For the Law of Nature, which is alſo the Moral Law, is the Law of the Author of Nature, God Almighty; and the Law of God taught by our Saviour Chriſt, is the Moral Law. For the Sum of God's Law is, *Thou ſhalt love God above all, and thy Neighbour as thy ſelf*; and the ſame is the Sum of the Law of Nature, as hath been ſhewed, Part. I. Chap. V. And although the Doctrine of our Saviour be of three Parts, *Moral*, *Theological*, and *Eccleſiaſtical*; the former Part only, which is the Moral, is of the Nature of a Law Univerſal; the latter Part is a Branch of the Law Civil; and the Theological, which containeth thoſe Articles concerning the Divinity and Kingdom of our Saviour, without which there is no Salvation, is not delivered in the Nature of Laws, but of Counſel and Direction, how to avoid the Puniſhment, which by the Violation of the Moral Law, Men are ſubject to. For it is not Infidelity that condemneth, (though it be Faith that ſaveth) but the Breach of the Law and Commandments of God, written firſt in Man's Heart, and afterwards in Tables, and delivered to the *Jews* by the Hands of *Moſes*.

8. In the State of Nature wherein every Man is his own Judge, and differeth from other concerning the Names and Appellations of Things, and from thoſe Differences ariſe Quarrels and Breach of Peace, it was neceſſary there ſhould be a common Meaſure of all Things, that might fall in Controverſy. As for Example, of what is to be called Right, what Good, what Virtue, what Much, what Little, what *Meum* and *Tuum*, what a Pound, what a Quart, *&c.* For in theſe Things private Judgment may differ, and beget Controverſy. This common Meaſure, ſome ſay, is *Right Reaſon*, with whom I ſhould conſent, if there were any ſuch Thing to be found or known *in Rerum Natura*. But commonly they that call for *Right Reaſon* to decide any Controverſy, do mean their own. But this is certain, ſeeing *Right Reaſon* is not exiſtent, the Reaſon of ſome Man or Men muſt ſupply the Place thereof; and that Man or Men is he or they, that have the ſovereign Power, as hath been already proved; and conſequently the Civil Laws are to all Subjects the Meaſures of their Actions, whereby to determine, whether they be right or wrong, profitable or unprofitable, virtuous or vicious; and by them the Uſe and Definition of all Names not agreed upon, and tending to Controverſy, ſhall be eſtabliſhed. As for Example, upon the Occaſion of ſome ſtrange and deformed Birth; it ſhall not be decided by *Ariſtotle*, or the Philoſophers, whether the ſame be a Man, or no, but by the Laws, the Civil Law containing in it the Eccleſiaſtical, as a Part thereof, proceeding from the Power of Eccleſiaſtical Government, given by our Saviour to all Chriſtian Sovereigns, as his immediate Vicars, as hath been ſaid, Part II. Chap. VII. Sect. 10.

9. But ſeeing it hath been ſaid, that all Laws are either Natural or Civil, it may be demanded, to which of theſe ſhall be referred that Law, which is called Martial Law, and by the *Romans*, *Diſciplina Militaris?* And it may ſeem to be the ſame with the Law of Nature; becauſe the Laws by which a Multitude of Soldiers are governed in an Army are not conſtant, but continually changing with the Occaſion; and that is ſtill a Law, which is Reaſon for the preſent, and Reaſon is the Law of Nature. It is neverthelesſ true, that Martial Law is Civil Law, becauſe an Army is a Body Politic, the whole Power whereof is in the General, and the Laws thereof made by him; and though they ſtill follow and change as Reaſon requireth, yet it is not, as the Reaſon of every private Man, but as the Reaſon of the General requireth.

10. When he or they in whom is the Sovereign Power of Commonwealth, are to ordain Laws for the Government and good Order of the People, it is not poſſible they ſhould comprehend all Caſes of Controverſy that may fall out, or perhaps any conſiderable Diverſity of them; but as Time ſhall inſtruct them by the riſing of new Occaſions, ſo are alſo Laws from time to time to be ordained: and in ſuch Caſes where no ſpecial Law is made, the Law of Nature keepeth its Place, and the Magiſtrates ought to give Sentence according thereunto, that is to ſay, according to natural Reaſon. The Conſtitutions therefore of the Sovereign Power, by which the Liberty of Nature is abridged, are written, becauſe there is no other Way to take notice of them, whereas the Laws of Nature are ſuppoſed to be written in Men's Hearts. Written Laws therefore are the Conſtitutions of a Commonwealth expreſſed; and unwritten, are the Laws of natural Reaſon. Cuſtom of itſelf maketh no Laws. Neverthelesſ when a Sentence hath been once given, by them that judge by their natural Reaſon, whether the ſame be right or wrong, it may attain to the Vigour of a Law; not becauſe the like Sentence hath of Cuſtom been given in the like Caſe, but becauſe the Sovereign Power is ſuppoſed tacitly to to have approved ſuch Sentence for Right, and thereby it cometh to be a Law, and numbered amongſt the written Laws of the Commonwealth. For if Cuſtom were ſufficient to introduce a Law, then it would be in the Power of every one that is deputed to hear a Cauſe, to make his Errors Laws. In the like Manner, thoſe Laws that go under the Title of *Reſponſa Prudentum*, that is to ſay, the Opinions of Lawyers, are not therefore Laws, becauſe *Reſponſa Prudentum*, but becauſe they are admitted by the Sovereign; and from this may be collected, that when there is a Caſe of private Contract between the Sovereign and the Subject, a Precedent againſt Reaſon ſhall not prejudice the Cauſe of the Sovereign; no Precedent being made a Law, but upon Suppoſition that the ſame was reaſonable from the Beginning. And thus much concerning the Elements and general Grounds of Laws Natural and Politic. As for the Law of Nations, it is the ſame with the Law of Nature. For that which is the Law of Nature between Man and Man before the Conſtitution of Commonwealth, is the Law of Nations between Sovereign and Sovereign after.

LEVIATHAN:

OR, THE

Matter, Form, and Power

OF A

COMMONWEALTH,

ECCLESIASTICAL and CIVIL.

To my MOST HONOURED FRIEND,

MR. *FRANCIS GODOLPHIN*,

of GODOLPHIN.

HONOURED SIR,

YOUR moſt worthy Brother Mr. SIDNEY GODOLPHIN, when he lived, was pleaſed to think my Studies ſomething, and otherwiſe to oblige me, as you know, with real Teſtimonies of his good Opinion, great in themſelves, and the greater for the Worthineſs of his Perſon. For there is not any Virtue that diſpoſeth a Man, either to the Service of God, or the Service of his Country, to Civil Society, or private Friendſhip, that did not manifeſtly appear in his Converſation; not as acquired by Neceſſity, or affected upon Occaſion, but inherent, and ſhining in a generous Conſtitution of his Nature. Therefore in Honour and Gratitude to him, and with Devotion to yourſelf, I humbly Dedicate unto you this my Diſcourſe of *Commonwealth*. I know not how the World will receive it, nor how it may reflect on thoſe that ſhall ſeem to favour it. For in a Way beſet with thoſe that contend, on one Side for too great Liberty, and on the other Side for too much Authority, 'tis hard to paſs between the Points of both unwounded. But yet, methinks, the Endeavour to advance the Civil Power, ſhould not be by the Civil Power condemned; nor private Men, by reprehending it, declare they think that Power too great. Beſides, I ſpeak not of the Men, but (in the Abſtract) of the Seat of Power, (like to thoſe ſimple and unpartial Creatures in the *Roman* Capitol, that with their Noiſe defended thoſe within it, not becauſe they were they, but there,) offending none, I think, but thoſe without, or ſuch within (if there were any ſuch) as favour them. That which perhaps may moſt offend, are certain Texts of Holy Scripture, alledged by me to other Purpoſe than ordinarily they uſe to be by others. But I have done it with due Submiſſion, and alſo (in order to my Subject) neceſſarily; for they are the Outworks of the Enemy, from whence they impugn the Civil Power. If notwithſtanding this, you find my Labour generally decryed, you may be pleaſed to excuſe yourſelf, and ſay, I am a Man that love my own Opinions, and think all true I ſay, that I honoured your Brother, and honour you, and have preſum'd on that, to aſſume the Title (without your Knowledge) of being, as I am,

SIR,

Paris, *April* $\frac{15}{25}$, 1651.

Your Moſt Humble, and
Moſt Obedient Servant,
THO. HOBBES.

THE INTRODUCTION.

NATURE (the Art whereby God hath made and governs the World) is by the *Art* of Man, as in many other Things, ſo in this alſo imitated, that it can make an artificial Animal. For ſeeing Life is but a Motion of Limbs, the Beginning whereof is in ſome principal Part within; why may we not ſay, that all *Automata* (Engines that move themſelves by Springs and Wheels as doth a Watch) have an artificial Life? For what is the *Heart*, but a *Spring*; and the *Nerves*, but ſo many *Strings*; and the *Joints*, but ſo many *Wheels*, giving Motion to the whole Body, ſuch as was intended by the Artificer? *Art* goes yet farther, imitating that rational and moſt excellent Work of Nature, *Man*. For by Art is created that great LEVIATHAN called a COMMONWEALTH, or STATE, (in Latin CIVITAS) which is but an artificial Man; though of greater Stature and Strength than the natural, for whoſe Protection and Defence it was intended; and in which the *Sovereignty* is an artificial *Soul*, as giving Life and Motion to the whole Body; the *Magiſtrates*, and other *Officers* of Judicature and Execution, artificial *Joints*; *Reward* and *Puniſhment* (by which faſtned to the Seat of the Sovereignty, every Joint and Member is moved to perform its Duty) are the *Nerves*, that do the ſame in the Body natural; the *Wealth* and *Riches* of all the particular Members, are the *Strength*; *Salus Populi* (the *People's Safety*) its *Buſineſs*; *Counſellors*, by whom all things needful for it to know are ſuggeſted unto it, are the *Memory*; *Equity* and *Laws*, an artificial *Reaſon* and *Will*; *Concord*, *Health*; *Sedition*, *Sickneſs*; and *Civil War*, *Death*. Laſtly, the *Pacts* and *Covenants*, by which the Parts of this Body Politic were at firſt made, ſet together, and united, reſemble that *Fiat*, or the *Let us make Man*, pronounced by God in the Creation.

To deſcribe the Nature of this artificial Man, I will conſider

Firſt, the *Matter* thereof, and the *Artificer*; both which is *Man*.
Secondly, *How*, and by what *Covenants* it is made; what are the *Rights* and juſt *Power* or *Authority* of a *Sovereign*; and what it is that *preſerveth* and *diſſolveth* it.
Thirdly, what is a *Chriſtian Commonwealth*.
Laſtly, what is the *Kingdom of Darkneſs*.

Concerning the firſt, there is a Saying much uſurped of late, that *Wiſdom* is acquired, not by reading of *Books*, but of *Men*. Conſequently whereunto, thoſe Perſons, that for the moſt part can give no other Proof of being wiſe, take great Delight to ſhew what they think they have read in Men, by uncharitable Cenſures of one another behind their Backs. But there is another Saying not of late underſtood, by which they might learn truly to read one another, if they would take the Pains; and that is, *Noſce teipſum*, *Read thyſelf*: which was not meant, as it is now uſed, to countenance either the barbarous State of Men in Power, towards their Inferiors; or to encourage Men of low Degree, to a ſaucy Behaviour towards their Betters; but to teach us, that for the Similitude of the Thoughts and Paſſions of one Man to the Thoughts and Paſſions of another, whoſoever looketh into himſelf, and conſidereth what he doth, when he does *think*, *opine*, *reaſon*, *hope*, *fear*, &c. and upon what Grounds; he ſhall thereby read and know, what are the Thoughts and Paſſions of all other Men, upon the like Occaſions. I ſay the Similitude of *Paſſions*, which are the ſame in all Men, *Deſire*, *Fear*, *Hope*, &c. not the Similitude of the *Objects* of the Paſſions, which are the Things *deſired*, *feared*, *hoped*, &c. for theſe the Conſtitution individual, and particular Education do ſo vary, and they are ſo eaſy to be kept from our Knowledge, that the Characters of Man's Heart, blotted and confounded as they are, with diſſembling, lying, counterfeiting, and erroneous Doctrines, are legible only to him that ſearcheth Hearts. And though by Men's Actions we do diſcover their Deſign ſometimes; yet to do it without comparing them with our own, and diſtinguiſhing all Circumſtances, by which the Caſe may come to be altered, is to decypher without a Key, and be for the moſt part deceived, by too much Truſt, or by too much Diffidence; as he that reads, is himſelf a good or evil Man.

But let one Man read another by his Actions never ſo perfectly, it ſerves him only with his Acquaintance, which are but few. He that is to govern a whole Nation, muſt read in himſelf, not this, or that particular Man, but Mankind: which though it be hard to do, harder than to learn any Language, or Science; yet, when I ſhall have ſet down my own Reading orderly, and perſpicuouſly, the Pains left another will be only to conſider, if he alſo find not the ſame in himſelf. For this Kind of Doctrine admitteth no other Demonſtration.

OF

MAN.

PART I.

CHAP. I.

Of SENSE.

CONCERNING the Thoughts of Man, I will conſider them firſt *Singly*, and afterwards in *Train*, or Dependance upon one another. *Singly*, they are every one a *Repreſentation* or *Appearance*, of ſome Quality, or other Accident of a Body without us; which is commonly called an *Object*. Which Object worketh on the Eyes, Ears, and other Parts of Man's Body; and by Diverſity of working, produceth Diverſity of Appearances.

The Original of them all, is that which we call SENSE; (for there is no Conception in a Man's Mind, which hath not at firſt, totally, or by Parts, been begotten upon the Organs of Senſe.) The reſt are derived from that Original.

To know the natural Cauſe of Senſe, is not very neceſſary to the Buſineſs now in hand; and I have elſewhere written of the ſame at large. Neverthele ſs, to fill each part of my preſent Method, I will briefly deliver the ſame in this Place.

The Cauſe of Senſe is the external Body or Object, which preſſeth the Organ proper to each Senſe, either immediately, as in the Taſte or Touch; or mediately, as in Seeing, Hearing, and Smelling: which Preſſure, by the Mediation of Nerves, and other Strings and Membranes of the Body, continued inwards to the Brain and Heart, cauſeth there a Reſiſtance, or Counter-preſſure, or Endeavour of the Heart, to deliver itſelf: which Endeavour becauſe *Outward*, ſeemeth to be ſome matter without. And this *Seeming*, or *Fancy*, is that which Men call *Senſe*; and conſiſteth, as to the Eye, in a *Light*, or *Colour figured*; to the Ear, in a *Sound*; to the Noſtril, in an *Odour*; to the Tongue and Palate, in a *Savour*; and to the reſt of the Body, in *Heat*, *Cold*, *Hardneſs*, *Softneſs*, and ſuch other Qualities, as we diſcern by *Feeling*. All which Qualities called *Senſible*, are in the Object that cauſeth them, but ſo many ſeveral Motions of the Matter, by which it preſſeth our Organs diverſly. Neither in us that are preſſed, are they any thing elſe but divers Motions; (for Motion produceth nothing but Motion.) But their Appearance to us is Fancy, the ſame waking, as dreaming. And as preſſing, rubbing, or ſtriking the Eye, makes us fancy a Light; and preſſing the Ear, produceth a Din; ſo do the Bodies alſo we ſee, or hear, produce the ſame by their ſtrong, though unobſerved Action. For if thoſe Colours, and Sounds, were in the Bodies, or Objects that cauſe them, they could not be ſevered from them, as by Glaſſes, and in Echoes by Reflection, we ſee they are; where we know the Thing we ſee is in one Place, the Appearance in another. And though at ſome certain Diſtance, the real and very Object ſeems inveſted with the Fancy it begets in us; yet ſtill the Object is one thing, the Image or Fancy is another. So that Senſe in all Caſes, is nothing elſe but original Fancy, cauſed (as I have ſaid) by the Preſſure, that is, by the Motion of external Things upon our Eyes, Ears, and other Organs thereunto ordained.

But the Philoſophy-Schools, through all the Univerſities of Chriſtendom, grounded upon certain Texts of *Ariſtotle*, teach another Doctrine; and ſay, for the Cauſe of *Viſion*, that the thing ſeen, ſendeth forth on every Side a *viſible Species*, (in Engliſh) a *viſible Shew, Apparition*, or *Aſpect*, or *a being ſeen*; the receiving whereof into the Eye, is *Seeing*. And for the Cauſe of *Hearing*, that the Thing heard, ſendeth forth an *audible Species*, that is, an *audible Aſpect*, or *audible being ſeen*; which entring at the Ear, maketh *Hearing*. Nay for the Cauſe of *Underſtanding* alſo, they ſay the Thing underſtood, ſendeth forth an *intelligible Species*, that is, an *intelligible being ſeen*; which coming into the Underſtanding, makes us underſtand. I ſay not this, as diſapproving the uſe of Univerſities; but becauſe I am to ſpeak hereafter of their Office in a Commonwealth, I muſt let you ſee on all Occaſions by the Way, what Things ſhould be amended in them; amongſt which the Frequency of inſignificant Speech is one.

CHAP. II.

Of IMAGINATION.

THAT when a Thing lies ſtill, unleſs ſomewhat elſe ſtir it, it will lie ſtill for ever, is a Truth that no Man doubts of. But that when a Thing is in Motion, it will eternally be in Motion, unleſs ſomewhat ſtay it, tho' the Reaſon be the ſame, (namely, that nothing can change itſelf) is not ſo eaſily aſſented to. For Men meaſure, not only other Men, but all other Things, by themſelves: and becauſe they find themſelves ſubject after Motion to Pain and Laſſitude, think every thing elſe grows weary of Motion, and ſeeks Repoſe of its own Accord; little conſidering, whether it be not ſome other Motion, wherein that Deſire of Reſt they find in themſelves conſiſteth. From hence it is, that the Schools ſay, Heavy Bodies fall downwards, out of an Appetite to reſt, and to conſerve their Nature in that Place which is moſt proper for them; aſcribing Appetite, and Knowledge of what is good for their Conſervation (which is more than Man has) to things inanimate, abſurdly.

When a Body is once in Motion, it moveth (unleſs ſomething elſe hinder it) eternally; and whatſoever hindereth it, cannot in an Inſtant, but in Time, and by Degrees quite extinguiſh it: And as we ſee in the Water, though the Wind ceaſe, the Waves give not over rolling for a long Time after; ſo alſo it happeneth in that Motion, which is made in the internal Parts of a Man, then, when he ſees, dreams, &c. For after the Object is removed, or the Eye ſhut, we ſtill retain an Image of the Thing ſeen, though more obſcure than when we ſee it. And this is it, the Latins call *Imagination*, from the Image made in ſeeing; and apply the ſame, though improperly, to all the other Senſes. But the *Greeks* call it *Fancy*; which ſignifies *Apparence*, and is as proper to one Senſe as to another. *Imagination* therefore is nothing but *decaying Senſe*; and is found in Men, and many other living Creatures, as well ſleeping as waking.

The Decay of Senſe in Men waking, is not the Decay of the Motion made in Senſe; but an obſcuring of it, in ſuch Manner, as the Light of the Sun obſcureth the Light of the Stars; which Stars do no leſs exerciſe the Virtue by which they are viſible, in the Day than in the Night. But becauſe amongſt many Strokes, which our Eyes, Ears, and other Organs receive from external Bodies, the predominant only is ſenſible; therefore the Light of the Sun being predominant, we are not affected with the Action of the Stars. And any Object being removed from our Eyes, though the Impreſſion it made in us remain; yet other Objects more preſent ſucceeding, and working on us, the Imagination of the paſt is obſcured and made weak; as the Voice of a Man is in the Noiſe of the Day. From whence it followeth, that the longer the Time is, after the Sight, or Senſe of any Object, the weaker is the Imagination. For the continual Change of Man's Body, deſtroys in time the Parts which in Senſe were moved: So that Diſtance of Time, and of Place, hath one and the ſame Effect in us. For as at a great Diſtance of Place, that which we look at, appears dim, and without Diſtinction of the ſmaller Parts; and as Voices grow weak, and inarticulate: ſo alſo after a great Diſtance of Time, our Imagination of the paſt is weak; and we loſe (for Example) of the Cities we have ſeen, many particular Streets; and of Actions, many particular Circumſtances. This *decaying Senſe*, when we would expreſs the Thing itſelf, (I mean *Fancy* itſelf) we call *Imagination*, as I ſaid before: But when we would expreſs the *Decay*, and ſignify that the Senſe is fading, old, and paſt, it is called *Memory*. So that *Imagination* and *Memory*, are but one thing, which for divers Conſiderations hath divers Names.

Memory.

Much Memory, or Memory of many Things, is called *Experience*. Again, Imagination being only of thoſe Things which have been formerly perceived by Senſe, either all at once, or by Parts at ſeveral Times; the former, (which is the imagining the whole Object, as it was preſented to the Senſe) is *ſimple Imagination*; as when one imagineth a Man, or Horſe, which he hath ſeen before. The other is *compounded*; as when from the Sight of a Man at one Time, and of a Horſe at another, we conceive in our Mind a Centaur. So when a Man compoundeth the Image of his own Perſon, with the Image of the Actions of another Man; as when a Man imagines himſelf a *Hercules*, or an *Alexander*, (which happeneth often to them that are much taken with reading of Romance) it is a compound Imagination, and properly but a Fiction of the Mind. There be alſo other Imaginations that riſe in Men, (though waking) from the great Impreſſion made in Senſe: As from gazing upon the Sun, the Impreſſion leaves an Image of the Sun before our Eyes a long Time after; and from being long and vehemently attent upon Geometrical Figures, a Man ſhall in the dark, (though awake) have the Images of Lines and Angles before his Eyes: which kind of Fancy hath no particular Name; as being a Thing that doth not commonly fall into Men's Diſcourſe.

Dreams.

The Imaginations of them that ſleep, are thoſe we call *Dreams*. And theſe alſo (as all other Imaginations) have been before, either totally, or by Parcels in the Senſe. And becauſe in Senſe, the Brain and Nerves, which are the neceſſary Organs of Senſe, are ſo benumbed in Sleep, as not eaſily to be moved by the Action of external Objects, there can happen in Sleep no Imagination, and therefore no Dream, but what proceeds from the Agitation of the inward Parts of Man's Body; which inward Parts, for the Connexion they have with the Brain, and other Organs, when they be diſtempered, do keep the ſame Motion; whereby the Imaginations there formerly made, appear as if a Man were waking; ſaving that the Organs of Senſe being now benumbed, ſo as there is no new Object, which can maſter and obſcure them with a more vigorous Impreſſion, a Dream muſt needs be more clear, in this Silence of Senſe, than are our waking Thoughts. And hence it cometh to paſs, that it is a hard Matter, and by many thought impoſſible to diſtinguiſh exactly between Senſe and Dreaming. For my Part, when I conſider, that in Dreams I do not often, nor conſtantly think of the ſame Perſons, Places, Objects, and Actions that I do waking; nor remember ſo long a Train of coherent Thoughts, Dreaming, as at other Times; and becauſe waking I often obſerve the Abſurdity of Dreams, but never dream of the Abſurdities of my waking Thoughts; I am well ſatisfied, that being awake, I know I dream not; though when I dream, I think myſelf awake.

And ſeeing Dreams are cauſed by the Diſtemper of ſome of the inward Parts of the Body; divers Diſtempers muſt needs cauſe different Dreams. And hence it is, that lying cold breedeth Dreams of Fear, and raiſeth the Thought and Image of ſome fearful Object (the Motion from the Brain to the inner Parts, and from the inner Parts to the Brain being reciprocal:) And that as Anger cauſeth Heat in ſome Parts of the Body, when we are awake; ſo when we ſleep, the over heating of the ſame Parts cauſeth Anger, and raiſeth up in the Brain the Imagination of an Enemy. In the ſame Manner; as natural Kindneſs, when we are awake cauſeth Deſire; and Deſire makes Heat in other certain Parts of the Body; ſo alſo, too much Heat in thoſe Parts, while we ſleep, raiſeth in the Brain an Imagination of ſome Kindneſs ſhewn. In ſum, our Dreams are the Reverſe of our waking Imaginations; the Motion when we are awake, beginning at one End; and when we dream, at another.

Apparitions or Viſions.

The moſt difficult diſcerning of a Man's Dream, from his waking Thoughts, is then, when by ſome Accident we obſerve not that we have ſlept: which is eaſy to happen to a Man full of fearful Thoughts; and whoſe Conſcience is much troubled; and that ſleepeth, without the Circumſtances of going to Bed, or putting off his Cloaths, as one that noddeth in a Chair. For he that taketh Pains, and induſtriouſly lays himſelf to Sleep, in Caſe any uncouth and exorbitant Fancy come unto him, cannot eaſily think it other than a Dream. We read of *Marcus Brutus*, (one that had his Life given him by *Julius Cæſar*, and was alſo his Favourite, and notwithſtanding murdered him) how at *Philippi*, the Night before he gave Battle to *Auguſtus Cæſar*, he ſaw a fearful Apparition, which is commonly related by Hiſtorians as a Viſion: but conſidering the Circumſtances, one may eaſily judge to have been but a ſhort Dream. For ſitting in his Tent, penſive and troubled with the Horror of his raſh Act, it was not hard for him, ſlumbering in the Cold, to dream of that which moſt affrighted him; which Fear, as by Degrees it made him awake, ſo alſo it muſt needs make the Apparition by Degrees to vaniſh: And having no Aſſurance that he ſlept, he could have no Cauſe to think it a Dream, or any Thing but a Viſion. And this is no very rare Accident: for even they that be perfectly awake, if they be timorous, and ſuperſtitious, poſſeſſed with fearful Tales, and alone in the Dark, are ſubject to the like Fancies; and believe they ſee Spirits and dead Mens Ghoſts, walking in Churchyards; whereas it is either their Fancy only, or elſe the Knavery of ſuch Perſons, as make uſe of ſuch ſuperſtitious Fear, to paſs diſguiſed in the Night, to Places they would not be known to haunt.

From this Ignorance of how to diſtinguiſh Dreams, and other ſtrong Fancies, from Viſion and Senſe, did ariſe the greateſt part of the Religion of the *Gentiles* in Time paſt, that worſhipped Satyrs, Fawns, Nymphs, and the like; and now-a-days the Opinion that rude People have of Fairies, Ghoſts, and Goblins; and of the Power of Witches. For as for Witches, I think not that their Witchcraft is any real Power; but yet that they are juſtly puniſhed, for the falſe Belief they have, that they can do ſuch Miſchief, joined with their Purpoſe to do it if they can: their Trade being nearer to a new Religion, than to a Craft or Science. And for Fairies, and walking Ghoſts, the Opinion of them has I think been on purpoſe either taught, or not confuted, to keep in Credit the Uſe of Exorciſm, of Croſſes, of holy Water, and other ſuch Inventions of ghoſtly Men. Nevertheleſs, there is no doubt, but God can make unnatural Apparitions: But that he does it ſo often, as Men need to fear ſuch Things, more than they fear the Stay or Change of the Courſe of Nature, which he alſo can ſtay and change, is no Point of Chriſtian Faith. But as evil Men, under Pretext that God can do any thing, are ſo bold as to ſay any thing when it ſerves their Turn, though they think it untrue; it is the part of a wiſe Man, to believe them no farther, than right Reaſon makes that which they ſay appear credible. If this ſuperſtitious Fear of Spirits were taken away, and with it, Prognoſtics from Dreams, falſe Prophecies, and many other Things depending thereon, by which crafty and ambitious Perſons abuſe the ſimple People, Men would be much more fitted than they are for civil Obedience.

And this ought to be the Work of the Schools; but they rather nouriſh ſuch Doctrine. For (not knowing what Imagination or the Senſes are) what they receive they teach: ſome ſaying, that Imaginations riſe of themſelves, and have no Cauſe: Others, that they riſe moſt commonly from the Will; and that good Thoughts are blown (inſpired) into a Man, by God; and evil Thoughts, by the Devil: or that good Thoughts are poured (infuſed) into a Man, by God; and evil ones, by the Devil. Some ſay the Senſes receive the Species of Things, and deliver them to the Common-Senſe; and the Common-Senſe delivers them over to the Fancy, and the Fancy to the Memory, and the Memory to the Judgment, like handing of Things from one to another, with many Words making nothing underſtood.

Underſtanding.

The Imagination that is raiſed in Man (or any other Creature endued with the Faculty of imagining) by Words, or other voluntary Signs, is that we generally call *Underſtanding*; and is common to Man and Beaſt. For a Dog by Cuſtom will underſtand the Call, or the Rating of his Maſter; and ſo will many other Beaſts. That Underſtanding which is peculiar to Man, is the underſtanding not only his Will, but the framing his Conceptions and Thoughts, by the Sequel and Contexture of the Names of Things into Affirmations, Negations, and other Forms of Speech: And of this kind of Underſtanding I ſhall ſpeak hereafter.

CHAP.

CHAP. III.

Of the Conſequence or Train of Imaginations.

BY *Conſequence*, or *Train* of Thoughts, I underſtand that Succeſſion of one Thought to another, which is called (to diſtinguiſh it from Diſcourſe in Words) *Mental Diſcourſe*.

When a Man thinketh on any thing whatſoever, his next Thought after is not altogether ſo caſual as it ſeems to be. Not every Thought to every Thought ſucceeds indifferently. But as we have no Imagination, whereof we have not formerly had Senſe, in whole, or in parts; ſo we have no Tranſition from one Imagination to another, whereof we never had the like before in our Senſes. The Reaſon whereof is this: All Fancies are Motions within us, Relics of thoſe made in the Senſe: And thoſe Motions that immediately ſucceeded one another in the Senſe, continue alſo together after Senſe: Inſomuch as the former coming again to take Place, and be predominant, the latter followeth, by Coherence of the Matter moved; in ſuch manner, as Water upon a plain Table is drawn which way any one Part of it is guided by the Finger. But becauſe in Senſe, to one and the ſame Thing perceived, ſometimes one Thing, ſometimes another ſucceedeth, it comes to paſs in time, that in the imagining of any thing, there is no Certainty what we ſhall imagine next; only this is certain, it ſhall be ſomething that ſucceeded the ſame before, at one Time or another.

Train of Thoughts unguided.

This Train of Thoughts, or Mental Diſcourſe, is of two Sorts. The firſt is *unguided*, *without Deſign*, and inconſtant; wherein there is no paſſionate Thought, to govern and direct thoſe that follow to itſelf, as the End and Scope of ſome Deſire, or other Paſſion: In which Caſe the Thoughts are ſaid to wander, and ſeem impertinent one to another, as in a Dream. Such are commonly the Thoughts of Men, that are not only without Company, but alſo without Care of any Thing; though even then their Thoughts are as buſy as at other Times, but without Harmony; as the Sound which a Lute out of Tune would yield to any Man; or in Tune, to one that could not play. And yet in this wild ranging of the Mind, a Man may ofttimes perceive the way of it, and the Dependance of one Thought upon another. For in a Diſcourſe of our preſent Civil War, what could ſeem more impertinent, than to aſk (as one did) what was the Value of a *Roman* Penny? Yet the Coherence to me was manifeſt enough. For the Thought of the War, introduced the Thought of the delivering up the King to his Enemies; the Thought of that, brought in the Thought of the delivering up of Chriſt; and that again the Thought of the thirty Pence, which was the Price of that Treaſon: and thence eaſily followed that malicious Queſtion; and all this in a Moment of Time; for Thought is quick.

Train of Thoughts regulated.

The ſecond is more conſtant; as being *regulated* by ſome Deſire, and Deſign. For the Impreſſion made by ſuch Things as we deſire, or fear, is ſtrong and permanent, or, (if it ceaſe for a Time) of quick Return: ſo ſtrong it is ſometimes, as to hinder and break our Sleep. From Deſire, ariſeth the Thought of ſome Means we have ſeen produce the like of that which we aim at; and from the Thought of that, the Thought of Means to that Mean; and ſo continually, till we come to ſome Beginning within our own Power.

And becauſe the End, by the Greatneſs of the Impreſſion comes often to Mind, in Caſe our Thoughts begin to wander, they are quickly again reduced into the Way: which obſerved by one of the ſeven wiſe Men, made him give Men this Precept, which is now worn out, *Reſpice finem*; that is to ſay, In all your Actions look often upon what you would have, as the Thing that directs all your Thoughts in the Way to attain it.

The Train of regulated Thoughts is of two Kinds; one, when of an Effect imagined, we ſeek the Cauſes or Means that produce it; and this is common to Man and Beaſt. The other is, when imagining any Thing whatſoever, we ſeek all the poſſible Effects that can by it be produced; that is to ſay, we imagine what we can do with it when we have it. Of which I have not at any time ſeen any Sign but in Man only; for this is a Curioſity hardly incident to the Nature of any living Creature that has no other Paſſion but ſenſual, ſuch as are Hunger, Thirſt, Luſt, and Anger. In ſum, the Diſcourſe of the Mind, when it is governed by Deſign, is nothing but *Seeking*, or the Faculty of Invention, which the *Latins* call *Sagacitas* and *Solertia*; a hunting out of the Cauſes of ſome Effect, preſent or paſt; or of the Effects of ſome preſent or paſt Cauſe. Sometimes a Man ſeeks what he hath loſt, and from that Place and Time, wherein he miſſes it, his Mind runs back, from Place to Place, and Time to Time, to find where, and when he had it; that is to ſay, to find ſome limited Time and Place, in which to begin a Method of Seeking. Again, from thence his Thoughts run over the ſame Places and Times, to find what Action, or other Occaſion might make him loſe it. This we call *Remembrance*, or calling to Mind; the *Latins* call it *Reminiſcentia*, as it were a *Re-conning* of our former Actions.

Remembrance.

Sometimes a Man knows a Place determinate, within the Compaſs whereof he is to ſeek; and then his Thoughts run over all the Parts thereof, in the ſame Manner as one would ſweep a Room to find a Jewel; or as a Spaniel ranges the Field till he find a Scent; or as a Man ſhould run over the Alphabet to ſtart a Rhyme.

Prudence.

Sometimes a Man deſires to know the Event of an Action, and then he thinketh of ſome like Action paſt, and the Events thereof one after another; ſuppoſing like Events will follow like Actions. As he that foreſees what will become of a Criminal, reckons what he has ſeen follow on the like Crime before, having this Order of Thoughts; the Crime, the Officer, the Priſon, the Judge, and the Gallows. Which Kind of Thoughts is called *Foreſight*, or *Prudence*, or *Providence*, and ſometimes *Wiſdom*; though ſuch Conjecture, through the Difficulty of obſerving all Circumſtances, be very fallacious,. But this is certain; by how much one Man has more Experience of Things paſt, than another; by ſo much alſo he is more prudent, and his Expectations the ſeldomer fail him. The *Preſent* only has a Being in Nature; Things *paſt* have a Being in the Memory only, but Things *to come* have no Being at all; the *Future* being but a Fiction of the Mind, applying the Sequels of Actions paſt, to the Actions that are preſent: which with moſt Certainty is done by him that has moſt Experience; but not with Certainty enough. And though it be called Prudence, when the Event anſwereth our Expectation; yet in its own Nature it is but Preſumption. For the Foreſight of Things to come, which is Providence, belongs only to him by whoſe Will they are to come. From him only, and ſupernaturally proceeds Prophecy. The beſt Prophet is naturally the beſt Gueſſer, and the beſt Gueſſer, he that is beſt verſed and ſtudied in the Matters he gueſſes at; for he hath moſt *Signs* to gueſs by.

Signs.

A *Sign* is the Event Antecedent of the Conſequent; and contrarily, the Conſequent of the Antecedent, when the like Conſequences have been obſerved before; and the oftner they have been obſerved, the leſs uncertain is the Sign. And therefore he that has moſt Experience in any Kind of Buſineſs, has moſt Signs, whereby to gueſs at the future Time; and conſequently is the moſt prudent: And ſo much more prudent than he that is new in that Kind of Buſineſs, as not to be equalled by any Advantage of natural and extemporary Wit; though perhaps many young Men think the contrary.

Nevertheleſs it is not Prudence that diſtinguiſheth Man from Beaſt. There are Beaſts that at a Year old obſerve more, and purſue that which is for their Good, more prudently, than a Child can do at Ten.

Conjecture of the Time paſt.

As Prudence is a *Preſumption* of the *Future*, contracted from the *Experience* of Time *paſt*; ſo there is a Preſumption of Things paſt taken from other Things (not future but) paſt alſo. For he that hath ſeen by what Courſes and Degrees a flouriſhing State hath firſt come into a civil War, and then to Ruin; upon the Sight of the Ruins of any other State, will gueſs, the like War and the like Courſes have been there alſo. But this Conjecture has the ſame Uncertainty almoſt with the Conjecture of the Future; both being grounded only upon Experience.

There is no other Act of Man's Mind, that I can remember, naturally planted in him, ſo as to need no other Thing, to the Exerciſe of it, but to be born a Man, and live with the Uſe of his five Senſes. Thoſe other Faculties, of which I ſhall ſpeak by and by, and which ſeem proper to Man only, are acquired, and increaſed by Study and Induſtry; and of moſt Men learned by Inſtruction and Diſcipline; and proceed all from the Invention of Words and Speech. For beſides Senſe and Thoughts, and the Train of Thoughts, the Mind of Man hath no other Motion; though by the Help of Speech, and Method, the ſame Faculties may be improved to ſuch a Height, as to diſtinguiſh Men from all other living Creatures.

Whatſoever we imagine, is *Finite*; therefore there is no Idea, or Conception of any Thing we call *Infinite*. No Man can have in his Mind an Image of infinite Magnitude; nor conceive infinite Swiftneſs, infinite Time, or infinite Force, or infinite Power. When we ſay any thing is infinite, we ſignify only, that we are not able to conceive the Ends and Bounds of the Things named; having no Conception of the Thing, but of our own Inability. And therefore the Name of *God* is uſed, not to make us conceive him, (for he is *incomprehenſible*, and his Greatneſs and Power are unconceivable;) but that we may honour him. Alſo becauſe whatſoever (as I ſaid before) we conceive, has been perceived firſt by Senſe, either all at once, or by Parts; a Man can have no Thought, repreſenting any thing, not ſubject to Senſe. No Man therefore can conceive any thing, but he muſt conceive it in ſome Place; and indued with ſome determinate Magnitude; and which may be divided into Parts; nor that any thing is all in this Place, and all in another Place at the ſame Time; nor that two or more Things can be in one and the ſame Place at once: For none of theſe Things ever have, or can be incident to Senſe; but are abſurd Speeches, taken upon Credit (without any Signification at all) from deceived Philoſophers, and deceived or deceiving Schoolmen.

CHAP. IV.

Of SPEECH.

Original of Speech.

THE Invention of *Printing*, though ingenious, compared with the Invention of *Letters*, is no great Matter. But who was the firſt that found the Uſe of Letters, is not known. He that firſt brought them into *Greece*, Men ſay was *Cadmus*, the Son of *Agenor*, King of *Phœnicia*. A profitable Invention for continuing the Memory of Time paſt, and the Conjunction of Mankind, diſperſed into ſo many, and diſtant Regions of the Earth; and withal difficult, as proceeding from a watchful Obſervation of the divers Motions of the Tongue, Palate, Lips, and other Organs of the Speech; whereby to make as many Differences of Characters, to remember them. But the moſt noble and profitable Invention of all other, was that of *Speech*, conſiſting of *Names* or *Appellations*, and their Connexion; whereby Men regiſter their Thoughts; recall them when they are paſt; and alſo declare them one to another for mutual Utility and Converſation; without which, there had been amongſt Men, neither Commonwealth, nor Society, nor Contract, nor Peace, no more than among Lions, Bears, and Wolves. The firſt Author of Speech was *God* himſelf, that inſtructed *Adam* how to name ſuch Creatures as he preſented to his Sight; for the Scripture goeth no further in this Matter. But this was ſufficient to direct him to add more Names, as the Experience and Uſe of the Creatures ſhould give him Occaſion; and to join them in ſuch Manner by Degrees, as to make himſelf underſtood; and ſo by Succeſſion of Time, ſo much Language might be gotten, as he had found Uſe for; though not ſo copious, as an Orator or Philoſopher has need of. For I do not find any Thing in the Scripture, out of which, directly or by Conſequence can be gathered, that *Adam* was taught the Names of all Figures, Numbers, Meaſures, Colours, Sounds, Fancies, Relations; much leſs the Names of Words and Speech, as *General*, *Special*, *Affirmative*, *Negative*, *Interrogative*, *Optative*, *Infinitive*, all which are uſeful; and leaſt of all, of *Entity*, *Intentionality*, *Quiddity*, and other inſignificant Words of the School.

But all this Language gotten, and augmented by *Adam* and his Poſterity, was again loſt at the Tower of *Babel*, when by the Hand of God, every Man was ſtricken for his Rebellion, with an Oblivion of his former Language. And being hereby forced to diſperſe themſelves into ſeveral Parts of the World, it muſt needs be, that the diverſity of Tongues that now is, proceeded by Degrees from them, in ſuch Manner, as Need (the Mother of all Inventions) taught them; and in tract of Time grew every where more copious.

The Uſe of Speech.

The general Uſe of Speech, is to transfer our Mental Diſcourſe, into Verbal; or the Train of our Thoughts, into a Train of Words; and that for two Commodities; whereof one is, the regiſtering of the Conſequences of our Thoughts; which being apt to ſlip out of our Memory, and put us to a new Labour, may again be recalled, by ſuch Words as they were marked by. So that the Firſt Uſe of Names, is to ſerve for *Marks*, or *Notes* of Remembrance. Another is, when many uſe the ſame Words, to ſignify (by their Connexion and Order) one to another, what they conceive or think of each Matter; and alſo what they deſire, fear, or have any other Paſſion for. And for this

Uſe they are called *Signs*. Special Uſes of Speech are theſe; firſt, to regiſter, what by Cogitation, we find to be the Cauſe of any thing, preſent or paſt; and what we find things preſent or paſt may produce, or effect: which in ſum, is acquiring of Arts. Secondly, to ſhew to others that Knowledge which we have attained; which is, to counſel and teach one another. Thirdly, to make known to others our Wills and Purpoſes, that we may have the mutual Help of one another. Fourthly, to pleaſe and delight ourſelves and others, by playing with our Words, for Pleaſure or Ornament, innocently.

Abuſes of Speech.

To theſe Uſes, there are alſo four correſpondent Abuſes. Firſt, when Men regiſter their Thoughts wrong, by the Inconſtancy of the Signification of their Words; by which they regiſter for their Conceptions, that which they never conceived; and ſo deceive themſelves. Secondly, when they uſe Words metaphorically; that is, in other Senſe than that they are ordained for; and thereby deceive others. Thirdly, when by Words they declare that to be their Will, which is not. Fourthly, when they uſe them to grieve one another: for ſeeing Nature hath armed living Creatures, ſome with Teeth, ſome with Horns, and ſome with Hands, to grieve an Enemy, it is but an Abuſe of Speech, to grieve him with the Tongue, unleſs it be one whom we are obliged to govern; and then it is not to grieve, but to correct and amend.

The Manner how Speech ſerveth to the Remembrance of the Conſequence of Cauſes and Effects, conſiſteth in the impoſing of *Names*, and the *Connexion* of them.

Names proper and common.

Of Names, ſome are *proper*, and ſingular to one only Thing; as *Peter*, *John*, *This Man*, *This Tree*: and ſome are *common* to many Things; as *Man*, *Horſe*, *Tree*; every of which though but one Name, is nevertheleſs the Name of divers particular Things; in reſpect of all which together, it is called an *Univerſal*; there being nothing in the World Univerſal but Names; for the Things named, are every one of them Individual and Singular.

Univerſal.

One Univerſal Name is impoſed on many Things, for their Similitude in ſome Quality, or other Accident: And whereas a proper Name bringeth to Mind one Thing only; Univerſals recall any one of thoſe many.

And of Names Univerſal, ſome are of more, and ſome of leſs Extent; the larger comprehending the leſs large; and ſome again of equal Extent, comprehending each other reciprocally. As for Example, the Name *Body* is of larger Signification than the Word *Man*, and comprehendeth it; and the Names *Man* and *Rational*, are of equal Extent, comprehending mutually one another. But here we muſt take Notice, that by a Name is not always underſtood, as in Grammar, one only Word; but ſometimes by Circumlocution many Words together. For all theſe Words, *He that in his Actions obſerveth the Laws of his Country*, make but one Name, equivalent to this one Word, *Juſt*.

By this Impoſition of Names, ſome of larger, ſome of ſtricter Signification, we turn the Reckoning of the Conſequences of Things imagined in the Mind, into a Reckoning of the Conſequences of Appellations. For Example, a Man that hath no Uſe of Speech at all, (ſuch as is born and remains perfectly deaf and dumb) if he ſet before his Eyes a Triangle, and by it two right Angles, (ſuch as are the Corners of a ſquare Figure) he may by Meditation compare and find, that the three Angles of that Triangle, are equal to thoſe two right Angles that ſtand by it. But if another Triangle be ſhewn him different in Shape from the former, he cannot know without a new Labour, whether the three Angles of that alſo be equal to the ſame. But he that hath the Uſe of Words, when he obſerves, that ſuch Equality was conſequent, not to the Length of the Sides, nor to any other particular Thing in this Triangle; but only to this, that the Sides were ſtraight, and the Angles three; and that that was all, for which he named it a Triangle; will boldly conclude univerſally, that ſuch Equality of Angles is in all Triangles whatſoever; and regiſter his Invention in theſe general Terms, *Every Triangle hath its three Angles equal to two right Angles.* And thus the Conſequence found in one Particular, comes to be regiſtered and remembered, as an univerſal Rule; and diſcharges our mental Reckoning, of Time and Place; and delivers us from all Labour of the Mind, ſaving the firſt; and makes that which was found true *here*, and *now*, to be true in *all Times* and *Places*.

But the Uſe of Words in regiſtering our Thoughts, is in nothing ſo evident as in Numbering. A natural Fool that could never learn by Heart the Order of numeral Words, as *one*, *two*, and *three*, may obſerve every Stroke of the Clock, and nod to it, or ſay one, one, one; but can never know what Hour it ſtrikes. And it ſeems, there was a Time when thoſe Names of Number were not in uſe; and Men were fain to apply their Fingers of one or both Hands, to thoſe Things they deſired to keep Account of; and that thence it proceeded, that now our numeral Words are but ten, in any Nation, and in ſome but five, and then they begin again. And he that can tell ten, if he recite them out of Order, will loſe himſelf, and not know when he has done: Much leſs will he be able to add and ſubſtract, and perform all other Operations of Arithmetic. So that without Words, there is no Poſſibility of reckoning of Numbers; much leſs of Magnitudes, of Swiftneſs, of Force, and other Things, the Reckonings whereof are neceſſary to the Being, or Well-being of Mankind.

When two Names are joined together into a Conſequence, or Affirmation; as thus, *A Man is a living Creature*; or thus, *If he be a Man, he is a living Creature:* If the latter Name *living Creature*, ſignify all that the former Name *Man* ſignifieth, then the Affirmation or Conſequence is *true*; otherwiſe *falſe*. For *True* and *Falſe* are Attributes of Speech, not of Things. And where Speech is not, there is neither *Truth* nor *Falſhood*. *Error* there may be, as when we expect that which ſhall not be; or ſuſpect what has not been: but in neither Caſe can a Man be charged with Untruth.

Neceſſity of Definitions.

Seeing then that *Truth* conſiſteth in the right ordering of Names in our Affirmations, a Man that ſeeketh preciſe *Truth*, hath need to remember what every Name he uſes ſtands for, and to place it accordingly; or elſe he will find himſelf entangled in Words, as a Bird in Lime-Twigs; the more he ſtruggles, the more belimed. And therefore in Geometry, (which is the only Science that it hath pleaſed God hitherto to beſtow on Mankind) Men begin at ſettling the Significations of their Words; which ſettling of Significations, they call *Definitions*; and place them in the beginning of their Reckoning.

By this it appears how neceſſary it is for any Man that aſpires to true Knowledge, to examine the Definitions of former Authors; and either to correct them, where they are negligently ſet down; or to make them himſelf. For the Errors of Definitions multiply themſelves, according as the Reckoning proceeds; and lead Men into Abſurdities, which at laſt they ſee, but cannot avoid, without reckoning anew from the Beginning; in which lies the Foundation of their Errors. From whence it happens, that they which truſt to Books, do as they that caſt up many little Sums into a greater, without conſidering whether thoſe little Sums were rightly caſt up or not; and at laſt finding the Error viſible, and not miſtruſting their firſt Grounds, know not which Way to clear themſelves; but ſpend Time in fluttering over their Books; as Birds that entering by the Chimney, and finding themſelves incloſed in a Chamber, flutter at the falſe Light of a Glaſs Window, for want of Wit to conſider which Way they came in. So that in the right Definition of Names, lies the firſt Uſe of Speech; which is the Acquiſition of Science. And in wrong, or no Definitions, lies the firſt Abuſe: from which proceed all falſe and ſenſeleſs Tenets; which make thoſe Men that take their Instruction from the Authority of Books, and not from their own Meditation, to be as much below the Condition of ignorant Men, as Men endued with true Science are above it. For between true Science, and erroneous Doctrines, Ignorance is in the Middle. Natural Senſe and Imagination are not ſubject to Abſurdity. Nature itſelf cannot err: and as Men abound in Copiouſneſs of Language; ſo they become more wiſe, or more mad than ordinary. Nor is it poſſible without Letters for any Man to become either excellently wiſe, or (unleſs his Memory be hurt by Diſeaſe, or ill Conſtitution of Organs) excellently fooliſh. For Words are wiſe Men's Counters, they do but reckon by them: but they are the Money of Fools, that value them by the Authority of an *Ariſtotle*, a *Cicero*, or a *Thomas*, or any other Doctor whatſoever, if but a Man.

Subject to Names.

Subject to Names, is whatſoever can enter into, or be conſidered in an Account; and be added one to another to make a Sum; or ſubſtracted one from another, and leave a Remainder. The Latins called Accounts of Money *Rationes*, and accounting *Ratiocinatio:* and that which we in Bills or Books of Account call *Items*, they called *Nomina*; that is, *Names:* and thence it ſeems to proceed, that they extended the Word *Ratio*, to the Faculty of reckoning in all other Things. The *Greeks* have but one Word λόγος, for both *Speech* and *Reaſon*; not that they thought there was no Speech without Reaſon, but no reaſoning without Speech: And the Act of reaſoning they call *Syllogiſm*; which ſignifieth ſumming up of the Conſequences of one Saying to another. And becauſe the ſame Things may enter into Account for divers Accidents; their Names are (to ſhew that Diverſity) diverſly wreſted, and diverſified. This Diverſity of Names may be reduced to four general Heads.

Firſt, a Thing may enter into Account for *Matter*, or *Body*; as *living*, *ſenſible*, *rational*, *hot*, *cold*, *moved*, *quiet*; with all which Names the Word *Matter*, or *Body* is underſtood; all ſuch, being Names of Matter.

Secondly, it may enter into Account, or be conſidered, for ſome Accident or Quality, which we conceive to be in it; as for *being moved*, for *being ſo long*, for *being hot*, &c. and then, of the Name of the Thing itſelf, by a little Change or wreſting, we make a Name for that Accident, which we conſider; and for *living* put into the Account *Life*; for *moved*, *Motion*; for *hot*, *Heat*; for *long*, *Length*, and the like: And all ſuch Names, are the Names of the Accidents and Properties, by which one Matter and Body is diſtinguiſhed from another. Theſe are called *Names abſtract*; becauſe ſevered (not from Matter, but) from the Account of Matter.

Thirdly, we bring into Account, the Properties of our own Bodies, whereby we make ſuch Diſtinction: as when any thing is *ſeen* by us, we reckon not the Thing itſelf; but the *Sight*, the *Colour*, the *Idea* of it in the Fancy: and when any Thing is *heard*, we reckon it not; but the *Hearing*, or *Sound* only, which is our Fancy or Conception of it by the Ear: and ſuch are Names of Fancies.

Fourthly, we bring into Account, conſider, and give Names, to *Names* themſelves, and to *Speeches:* For, *general*, *univerſal*, *ſpecial*, *equivocal*, are Names of Names. And *Affirmation*, *Interrogation*, *Commandment*, *Narration*, *Syllogiſm*, *Sermon*, *Oration*, and many other ſuch, are Names of Speeches. And this is all the Variety of Names *Poſitive*; which are put to mark ſomewhat which is in Nature, or may be feigned by the Mind of Man, as Bodies that are, or may be conceived to be; or of Bodies, the Properties that are, or may be feigned to be; or Words and Speech.

Uſe of Names Poſitive.

There be alſo other Names, called *Negative*; which are Notes to ſignify that a Word is not the Name of the Thing in Queſtion; as theſe Words, *nothing*, *no Man*, *infinite*, *indocible*, *three want four*, and the like; which are nevertheleſs of uſe in reckoning, or in correcting of reckoning; and call to Mind our paſt Cogitations, though they be not Names of any Thing; becauſe they make us refuſe to admit of Names not rightly uſed.

Negative Names with their Uſe.

All other Names are but inſignificant Sounds; and thoſe of two Sorts. One, when they are new, and yet their Meaning not explained by Definition; whereof there have been Abundance coined by School-men, and puzzled Philoſophers.

Words inſignificant.

Another, when Men make a Name of two Names, whoſe Significations are contradictory and inconſiſtent; as this Name, an *incorporeal Body*, or (which is all one) an *incorporeal Subſtance*, and a great Number more. For whenſoever any Affirmation is falſe, the two Names of which it is compoſed, put together and made one, ſignify nothing at all. For Example, if it be a falſe Affirmation to ſay *a Quadrangle is round*, the Word *round Quadrangle* ſignifies nothing; but is a mere Sound. So likewiſe if it be falſe, to ſay that Virtue can be poured, or blown up and down; the Words *in-poured Virtue*, *in-blown Virtue*, are as abſurd and inſignificant as a *round Quadrangle*. And therefore you ſhall hardly meet with a ſenſeleſs and inſignificant Word, that is not made up of ſome Latin or Greek Names. A *Frenchman* ſeldom hears our Saviour called by the Name of *Parole*, but by the Name of *Verbe* often; yet *Verbe* and *Parole* differ no more, but that one is Latin, the other French.

When a Man upon the hearing of any Speech, hath thoſe Thoughts which the Words of that Speech, and their Connexion, were ordained and conſtituted to ſignify; then he is ſaid to underſtand it: *Underſtanding* being nothing elſe, but Conception cauſed by Speech. And therefore if Speech be peculiar to Man (as for ought I know it is) then is Underſtanding peculiar to him alſo. And therefore of abſurd and falſe Affirmations, in caſe they be univerſal, there can be no Underſtanding; though many think they underſtand, then, when they do but repeat the Words ſoftly, or con them in their Mind.

Underſtanding.

What Kinds of Speeches ſignify the Appetites, Averſions, and Paſſions of Man's Mind; and of their Uſe and Abuſe, I ſhall ſpeak when I have ſpoken of the Paſſions.

The Names of ſuch Things as affect us, that is, which pleaſe, and diſpleaſe us, becauſe all Men be not alike affected with the ſame Thing, nor the ſame Man at all Times, are in the common Diſcourſes of Men, of *inconſtant* Signification. For ſeeing all Names are impoſed to ſignify our Conceptions; and all our Affections are but Conceptions; when we conceive the ſame Things differently, we can hardly avoid different naming of them. For though the Nature of that we conceive, be the ſame; yet the Diverſity of our Reception of it, in reſpect of different Conſtitutions of Body, and Prejudices of Opinion, gives every Thing a Tincture of our different Paſſions. And therefore in reaſoning, a Man muſt take heed of Words; which beſides the Signification of what we imagine

Inconſtant Names.

imagine of their Nature, have a Signification alſo of the Nature, Diſpoſition, and Intereſt of the Speaker; ſuch as are the Names of Virtues, and Vices; for one Man calleth *Wiſdom*, what another calleth *Fear*; and one *Cruelty*, what another *Juſtice*; one *Prodigality*, what another *Magnanimity*; and one *Gravity*, what another *Stupidity*, &c. And therefore ſuch Names can never be true Grounds of any Ratiocination. No more can Metaphors, and Tropes of Speech: but theſe are leſs dangerous, becauſe they profeſs their Inconſtancy; which the other do not.

CHAP. V.

Of REASON and SCIENCE.

Reaſon, what it is.

WHEN a Man *Reaſoneth*, he does nothing elſe but conceive a Sum total, from *Addition* of Parcels; or conceive a Remainder, from *Subſtraction* of one Sum from another; which (if it be done by Words) is conceiving of the Conſequence of the Names of all the Parts, to the Name of the Whole; or from the Names of the Whole and one Part, to the Name of the other Part. And though in ſome Things (as in Numbers) beſides *Adding* and *Subſtracting*, Men name other Operations, as *Multiplying* and *Dividing*, yet they are the ſame; for Multiplication is but adding together of Things equal; and Diviſion, but ſubſtracting of one Thing as often as we can. Theſe Operations are not incident to Numbers only, but to all manner of Things that can be added together, and taken one out of another. For as Arithmeticians teach to add and ſubſtract in *Numbers*, ſo the Geometricians teach the ſame in *Lines*, *Figures*, (ſolid and ſuperficial) *Angles*, *Proportions*, *Times*, Degrees of *Swiftneſs*, *Force*, *Power*, and the like; the Logicians teach the ſame in *Conſequences of Words*, adding together *two Names* to make a *Affirmation*, and *two Affirmations* to make a *Syllogiſm*, and *many Syllogiſms* to make a *Demonſtration*; and from the *Sum* or *Concluſion* of a *Syllogiſm*, they ſubſtract one *Propoſition*, to find the other. Writers of Politics add together *Pactions*, to find Men's *Duties*; and Lawyers, *Laws* and *Facts*, to find what is *Right* and *Wrong* in the Actions of private Men. In Sum, in what Matter ſoever there is Place for *Addition* and *Subſtraction*, there alſo is Place for *Reaſon*; and where theſe have no Place, there *Reaſon* has nothing at all to do.

Reaſon defined.

Out of all which we may define, (that is to ſay determine) what that is, which is meant by the Word *Reaſon*, when we reckon it amongſt the Faculties of the Mind. For *Reaſon*, in this Senſe, is nothing but *reckoning* (that is, adding and ſubſtracting) of the Conſequences of general Names agreed upon, for the *marking* and *ſignifying* of our Thoughts; I ſay *marking* them, when we reckon by ourſelves; and *ſignifying*, when we demonſtrate, or approve our Reckonings to other Men.

Right Reaſon, where.

And as in Arithmetic, unpractiſed Men muſt, and Profeſſors themſelves may often err, and caſt up falſe; ſo alſo in any other Subject of reaſoning, the ableſt, moſt attentive, and moſt practiſed Men, may deceive themſelves, and infer falſe Concluſions; not but that Reaſon itſelf is always right Reaſon, as well as Arithmetic is a certain and infallible Art: But no one Man's Reaſon, nor the Reaſon of any one Number of Men, makes the Certainty; no more than an Account is therefore well caſt up, becauſe a great many Men have unanimouſly approved it. And therefore, as when there is a Controverſy in an Account, the Parties muſt by their own Accord ſet up for right Reaſon, the Reaſon of ſome Arbitrator, or Judge, to whoſe Sentence they will both ſtand, or their Controverſy muſt either come to Blows, or be undecided, for want of a right Reaſon conſtituted by Nature. So is it alſo in all Debates of what Kind ſoever. And when Men that think themſelves wiſer than all others, clamour and demand right Reaſon for Judge; yet ſeek no more, but that Things ſhould be determined by no other Men's Reaſon but their own, it is as intolerable in the Society of Men, as it is in Play after Trump is turned, to uſe for Trump on every Occaſion, that Suite whereof they have moſt in their Hand. For they do nothing elſe, that will have every of their Paſſions, as it comes to bear Sway in them, to be taken for right Reaſon, and that in their own Controverſies: bewraying their Want of right Reaſon, by the Claim they lay to it.

The Uſe of Reaſon.

The Uſe and End of Reaſon, is not the finding of the Sum and Truth of one or a few Conſequences, remote from the firſt Definitions, and ſettled Significations of Names; but to begin at theſe, and proceed from one Conſequence to another. For there can be no Certainty of the laſt Concluſion, without a Certainty of all thoſe Affirmations and Negations on which it was grounded and inferred. As when a Maſter of a Family, in taking an Account, caſteth up the Sums of all the Bills of Expence into one Sum, and not regarding how each Bill is ſummed up, by thoſe that give them in Account, nor what it is he pays for; he advantages himſelf no more, than if he allowed the Account in groſs, truſting to every of the Accountants Skill and Honeſty: So alſo in reaſoning of all other Things, he that takes up Concluſions on the Truſt of Authors, and doth not fetch them from the firſt Items in every Reckoning, (which are the Significations of Names ſettled by Definitions) loſes his Labour, and does not know any thing, but only believeth.

Of Error and Abſurdity.

When a Man reckons without the Uſe of Words, which may be done in particular Things, (as when upon the Sight of any one Thing we conjecture what was likely to have preceded, or is likely to follow upon it;) if that which he thought likely to follow, follows not; or that which he thought likely to have preceded it, hath not preceded it, this is called *Error*; to which even the moſt prudent Men are ſubject. But when we reaſon in Words of general Signification, and fall upon a general Inference which is falſe; tho' it be commonly called *Error*, it is indeed an *Abſurdity*, or ſenſeleſs Speech. For Error is but a Deception, in preſuming that ſomewhat is paſt, or to come; of which, though it were not paſt, or not to come, yet there was no Impoſſibility diſcoverable. But when we make a general Aſſertion, unleſs it be a true one, the Poſſibility of it is unconceivable. And Words whereby we conceive nothing but the Sound, are thoſe we call *Abſurd*, *Inſignificant*, and *Nonſenſe*. And therefore if a Man ſhould talk to me of a *round Quadrangle*, or *Accidents of Bread in Cheeſe*, or *immaterial Subſtances*, or of *a free Subject*, *a free Will*, or any *Free*, but free from being hindered by Oppoſition, I ſhould not ſay he were in an Error, but that his Words were without Meaning; that is to ſay, Abſurd.

I have ſaid before (in the ſecond Chapter) that a Man did excel all other Animals in this Faculty, and that when he conceived any thing whatſoever, he was apt to enquire the Conſequences of it, and what Effects he could do with it. And now I add this other Degree of the ſame Excellence, that he can by Words reduce the Conſequences he finds to general Rules, called *Theorems* or *Aphoriſms*; that is, he can reaſon, or reckon, not only in Number, but in all other Things, whereof one may be added unto, or ſubſtracted from another.

But this Privilege is allayed by another; and that is, by the Privilege of Abſurdity; to which no living Creature is ſubject, but Man only. And of Men, thoſe are of all moſt ſubject to it, that profeſs Philoſophy. For it is moſt true that *Cicero* ſaith of them ſomewhere; that there can be nothing ſo abſurd, but may be found in the Books of Philoſophers. And the Reaſon is manifeſt. For there is not one of them that begins his Ratiocination from the Definitions, or Explications of the Names they are to uſe, which is a Method that hath been uſed only in Geometry, whoſe Concluſions have thereby been made indiſputable.

Cauſes of Abſurdity.

1. The firſt Cauſe of abſurd Concluſions I aſcribe to the Want of Method; in that they begin not their Ratiocination from Definitions; that is, from ſettled Significations of their Words: as if they could caſt Account, without knowing the Value of the numeral Words, *one*, *two*, and *three*.

And whereas all Bodies enter into Account upon divers Conſiderations, (which I have mentioned in the precedent Chapter;) theſe Conſiderations being diverſly named, divers Abſurdities proceed from the Confuſion, and unfit Connexion of their Names into Aſſertions. And therefore

2. The ſecond Cauſe of abſurd Aſſertions, I aſcribe to the giving of Names of *Bodies*, to *Accidents*; or of *Accidents*, to *Bodies*; As they do, that ſay, *Faith is infuſed*, or *inſpired*; when nothing can be *poured*, or *breathed* into any Thing, but Body; and that, *Extenſion* is *Body*; that *Phantaſms* are *Spirits*, &c.

3. The third I aſcribe to the giving of the Names of the *Accidents* of *Bodies without us*, to the *Accidents* of our *own Bodies*; as they do that ſay, the *Colour is in the Body*; *the Sound is in the Air*, &c.

4. The fourth, to the giving of the Names of *Bodies*, to *Names* or *Speeches*; as they do that ſay, that *there be Things Univerſal*; that *a living Creature is Genus*, or *a general Thing*, &c.

5. The fifth, to the giving of the Names of *Accidents*, to *Names* and *Speeches*; as they do that ſay, *the Nature of a Thing is its Definition*; *a Man's Command is his Will*; and the like.

6. The ſixth, to the Uſe of Metaphors, Tropes, and other Rhetorical Figures, inſtead of Words proper. For though it be lawful to ſay (for Example) in common Speech, *the Way goeth*, or *leadeth hither or thither*; *the Proverb ſays this or that*, (whereas Ways cannot go, nor Proverbs ſpeak;) yet in reckoning and ſeeking of Truth, ſuch Speeches are not to be admitted.

7. The ſeventh, to Names that ſignify nothing; but are taken up, and learned by Rote from the Schools, as *hypoſtatical*, *tranſubſtantiate*, *conſubſtantiate*, *eternal-now*, and the like canting of Schoolmen.

To him that can avoid theſe Things, it is not eaſy to fall into any Abſurdity, unleſs it be by the Length of an Account; wherein he may perhaps forget what went before. For all Men by Nature reaſon alike, and well, when they have good Principles. For who is ſo ſtupid, as both to miſtake in Geometry, and alſo to perſiſt in it, when another detects his Error to him?

By this it appears that Reaſon is not as Senſe, and Memory, born with us; nor gotten by Experience only, as Prudence is; but attained by Induſtry; firſt, in apt impoſing of Names; and ſecondly, by getting a good and orderly Method in proceeding from the Elements, which are Names, to Aſſertions made by Connexion of one of them to another; and ſo to Syllogiſms, which are the Connexions of one Aſſertion to another,

ther, till we come to a Knowledge of all the Conſequences of Names, appertaining to the Subject in hand; and that is it Men call *Science*. And whereas Senſe and Memory are but Knowledge of Fact, which is a Thing paſt, and irrevocable; *Science* is the Knowledge of Conſequences, and Dependance of one Fact upon another: by which, out of that we can preſently do, we know how to do ſomething elſe when we will, or the like, another Time: Becauſe when we ſee how any thing comes about, upon what Cauſes, and by what Manner; when the like Cauſes come into our Power, we ſee how to make it produce the like Effects.

Children therefore are not endued with Reaſon at all, till they have attained the Uſe of Speech: but are called reaſonable Creatures, for the Poſſibility apparent of having the Uſe of Reaſon in Time to come. And the moſt Part of Men, though they have the Uſe of Reaſoning a little Way, as in numbering to ſome Degree; yet it ſerves them to little Uſe in common Life; in which they govern themſelves, ſome better, ſome worſe, according to their Differences of Experience, Quickneſs of Memory, and Inclinations to ſeveral Ends; but ſpecially according to good or evil Fortune, and the Errors of one another. For as for *Science*, or certain Rules of their Actions, they are ſo far from it, that they know not what it is. Geometry they have thought conjuring: But for other Sciences, they who have not been taught the Beginnings, and ſome Progreſs in them, that they may ſee how they be acquired and generated, are in this Point like Children, that having no Thought of Generation, are made believe by the Women, that their Brothers and Siſters are not born, but found in the Garden.

But yet they that have no *Science*, are in better and nobler Condition with their natural Prudence, than Men that by miſreaſoning, or by truſting them that reaſon wrong, fall upon falſe and abſurd general Rules. For Ignorance of Cauſes, and of Rules, does not ſet Men ſo far out of their Way, as relying on falſe Rules, and taking for Cauſes of what they aſpire to, thoſe that are not ſo, but rather Cauſes of the contrary.

To conclude, the Light of human Minds is perſpicuous Words, but by exact Definitions firſt ſnuffed, and purged from Ambiguity; *Reaſon* is the *Pace*; Increaſe of *Science*, the *Way*; and the Benefit of Mankind, the *End*. And on the contrary, Metaphors, and ſenſeleſs and ambiguous Words, are like *ignes fatui*; and reaſoning upon them, is wandering amongſt innumerable Abſurdities; and their End Contention and Sedition, or Contempt.

Prudence and Sapience, with their Difference.

As much Experience is *Prudence*, ſo is much Science *Sapience*. For though we uſually have one Name of Wiſdom for them both, yet the *Latins* did always diſtinguiſh between *Prudentia* and *Sapientia*; aſcribing the former to Experince, the latter to Science. But to make their Difference appear more clearly, let us ſuppoſe one Man endued with an excellent natural Uſe and Dexterity in handling his Arms; and another to have added to that Dexterity, an acquired Science of where he can offend, or be offended by his Adverſary, in every poſſible Poſture or Guard: The Ability of the former, would be to the Ability of the latter, as Prudence to Sapience; both uſeful; but the latter infallible. But they that truſting only to the Authority of Books, follow the blind blindly, are like him that truſting to the falſe Rules of a Maſter of Fence, ventures preſumptuouſly upon an Adverſary, that either kills or diſgraces him.

Signs of Science.

The Signs of Science are, ſome certain and infallible; ſome uncertain. Certain, when he that pretendeth the Science of any thing, can teach the ſame; that is to ſay, demonſtrate the Truth thereof perſpicuouſly to another: Uncertain, when only ſome particular Events anſwer to his Pretence, and upon many Occaſions prove ſo as he ſays they muſt. Signs of Prudence are all uncertain; becauſe to obſerve by Experience, and remember all Circumſtances that may alter the Succeſs, is impoſſible. But in any Buſineſs, whereof a Man has not infallible Science to proceed by; to forſake his own natural Judgment, and be guided by general Sentences read in Authors, and ſubject to many Exceptions, is a Sign of Folly, and generally ſcorned by the Name of Pedantry. And even of thoſe Men themſelves, that in Councils of the Commonwealth love to ſhew their reading of Politics and Hiſtory, very few do it in their domeſtic Affairs, where their particular Intereſt is concerned; having Prudence enough for their private Affairs: but in Public they ſtudy more the Reputation of their own Wit, than the Succeſs of another's Buſineſs.

CHAP. VI.

Of the interior Beginnings of voluntary Motions; commonly called the PASSIONS. *And the Speeches by which they are expreſſed.*

Motion Vital and Animal.

THERE be in Animals, two Sorts of *Motions* peculiar to them: One called *Vital*; begun in Generation, and continued without Interruption through their whole Life; ſuch as are the *Courſe* of the *Blood*, the *Pulſe*, the *Breathing*, the *Concoction*, *Nutrition*, *Excretion*, &c. to which Motions there needs no Help of Imagination: The other is *Animal Motion*, otherwiſe called *Voluntary Motion*; as to *go*, to *ſpeak*, to *move* any of our Limbs, in ſuch Manner as is firſt fancied in our Minds. That Senſe, is Motion in the Organs and interior Parts of Man's Body, cauſed by the Action of the Things we ſee, hear, *&c.* And that Fancy is but the Reliques of the ſame Motion, remaining after Senſe, has been already ſaid in the firſt and ſecond Chapters. And becauſe *going*, *ſpeaking*, and the like voluntary Motions, depend always upon a precedent Thought of *whither*, *which Way*, and *what*; it is evident, that the Imagination is the firſt internal Beginning of all voluntary Motion. And altho' unſtudied Men do not conceive any Motion at all to be there, where the Thing moved is inviſible; or the Space it is moved in, is (for the Shortneſs of it) inſenſible; yet that doth not hinder, but that ſuch Motions are. For let a Space be never ſo little, that which is moved over a greater Space, whereof that little one is Part, muſt firſt be moved over that. Theſe ſmall Beginnings of Motion, within the Body of Man, before they appear in walking, ſpeaking, ſtriking, and other viſible Actions, are commonly called *Endeavour*.

Endeavour.

Appetite, Deſire.

This Endeavour, when it is toward ſomething which cauſes it, is called *Appetite* or *Deſire*; the latter, being the general Name; and the other, oftentimes reſtrained to ſignify the Deſire of Food, namely *Hunger* and *Thirſt*. And when the Endeavour is fromward ſomething, it is generally called *Averſion*. Theſe Words *Appetite* and *Averſion* we have from the *Latins*; and they both of them ſignify the Motions, one of approaching, the other of retiring. So alſo do the Greek Words for the ſame, which are ὁρμὴ and ἀφορμὴ. For Nature itſelf does often preſs upon Men thoſe Truths, which afterwards, when they look for ſomewhat beyond Nature, they ſtumble at. For the Schools find in mere Appetite to go, or move, no actual Motion at all: but becauſe ſome Motion they muſt acknowledge, they call it metaphorical Motion; which is but an abſurd Speech: for though Words may be called metaphorical, Bodies and Motions cannot.

Love. Hate.

That which Men deſire, they are alſo ſaid to *love*: and to *hate* thoſe Things, for which they have Averſion. So that Deſire, and Love, are the ſame Thing, ſave that by Deſire we always ſignify the Abſence of the Object; by Love, moſt commonly the Preſence of the ſame. So alſo by Averſion, we ſignify the Abſence; and by Hate the Preſence of the Object.

Of Appetites, and Averſions, ſome are born with Men; as Appetite of Food, Appetite of Excretion, and Exoneration, (which may alſo and more properly be called Averſions, from ſomewhat they feel in their Bodies;) and ſome other Appetites, not many. The reſt, which are Appetites of particular Things, proceed from Experience, and Trial of their Effects upon themſelves, or other Men. For of Things we know not at all, or believe not to be, we can have no further Deſire, than to taſte and try. But Averſion we have for Things, not only which we know have hurt us, but alſo that we do not know whether they will hurt us, or not.

Contempt.

Thoſe Things which we neither deſire, nor hate, we are ſaid to *contemn*: *Contempt* being nothing elſe but an Immobility, or Contumacy of the Heart, in reſiſting the Action of certain Things; and proceeding from that the Heart is already moved otherwiſe, by other more potent Objects; or from Want of Experience of them.

And becauſe the Conſtitution of Man's Body is in continual Mutation, it is impoſſible that all the ſame Things ſhould always cauſe in him the ſame Appetites and Averſions: much leſs can all Men conſent, in the Deſire of almoſt any one and the ſame Object.

Good. Evil.

But whatſoever is the Object of any Man's Appetite or Deſire; that is it, which he for his Part calleth *Good*: And the Object of his Hate, and Averſion, *Evil*; and of his Contempt, *Vile*, and *Inconſiderable*. For theſe Words of Good, Evil, and Contemptible, are ever uſed with Relation to the Perſon that uſeth them: There being nothing ſimply and abſolutely ſo; nor any common Rule of Good and Evil, to be taken from the Nature of the Objects themſelves; but from the Perſon of the Man (where there is no Commonwealth;) or, (in a Commonwealth) from the Perſon that repreſenteth it; or from an Arbitrator or Judge, whom Men diſagreeing ſhall by Conſent ſet up, and make his Sentence the Rule thereof.

Pulchrum. Turpe.

The Latin Tongue has two Words, whoſe Significations approach to thoſe of Good and Evil, but are not preciſely the ſame; and thoſe are *Pulchrum* and *Turpe*. Whereof the former ſignifies that, which by ſome apparent Signs promiſeth Good; and the latter, that which promiſeth Evil. But in our Tongue we have not ſo general Names to expreſs them by. But for *Pulchrum*, we ſay in ſome Things, *Fair*; in others *Beautiful*, or *Handſome*, or *Gallant*, or *Honourable*, or *Comely*, or *Amiable*; and for *Turpe*, *Foul*, *Deformed*, *Ugly*, *Baſe*, *Nauſeous*, and the like, as the Subject ſhall require; all which Words, in their proper Places ſignify nothing elſe, but the *Mien*, or Countenance that promiſeth Good and Evil. So that of Good there be three Kinds; Good in the Promiſe, that is *Pulchrum*; Good in Effect, as the End deſired, which is called *Jucundum*, *Delightful*; and Good as the Means, which is called *Utile*, *Profitable*; and as many of Evil: For *Evil*, in Promiſe, is

Delightful. Profitable.

is that they call *Turpe*; Evil in Effect, and End, is *Moleſtum, Unpleaſant, Troubleſome*; and Evil by the Means, *Inutile, Unprofitable, Hurtful*.

Unpleaſant. Unprofitable.

As, in Senſe, that which is really within us, is (as I have ſaid before) only Motion, cauſed by the Action of external Objects, but in Appearance; to the Sight, Light and Colour; to the Ear, Sound; to the Noſtril, Odour, &c. ſo, when the Action of the ſame Object is continued from the Eyes, Ears, and other Organs to the Heart, the real Effect there is nothing but Motion or Endeavour, which conſiſteth in Appetite or Averſion, to or from the Object moving. But the Appearance or Senſe of that Motion, is that we either call *Delight*, or *Trouble of Mind*.

Delight. Diſpleaſure.

Pleaſure.

This Motion, which is called Appetite, and for the Appearance of it *Delight*, and *Pleaſure*, ſeemeth to be a Corroboration of vital Motion, and a Help thereunto; and therefore ſuch Things as cauſed Delight, were not improperly called *Jucunda (à Juvando)* from helping or fortifying; and the contrary, *Moleſta, Offenſive*, from hindering and troubling the Motion vital.

Offence.

Pleaſure therefore (or *Delight*) is the Apparence or Senſe of Good; and *Moleſtation* or *Diſpleaſure* the Apparence or Senſe of Evil. And conſequently all Appetite, Deſire, and Love, is accompanied with ſome Delight, more or leſs; and all Hatred and Averſion, with more or leſs Diſpleaſure and Offence.

Pleaſures of Senſe.

Of Pleaſures, or Delights, ſome ariſe from a Senſe of an Object preſent; and thoſe may be called *Pleaſures of Senſe*. (The Word *Senſual*, as it is uſed by thoſe only that condemn them, having no Place till there be Laws.) Of this Kind are all Onerations and Exonerations of the Body; as alſo all that is pleaſant in the *Sight*, *Hearing*, *Smell*, *Taſte*, or *Touch*; others ariſe from the Expectation that proceeds from Foreſight of the End, or Conſequence of Things; whether thoſe Things in the Senſe pleaſe or diſpleaſe: And theſe are *Pleaſures of the Mind* of him that draweth thoſe Conſequences, and are generally called *Joy*. In the like Manner, Diſpleaſures, are ſome in the Senſe, and called *Pain*; others, in the Expectation of Conſequences, and are called *Grief*.

Pleaſures of the Mind. Joy. Pain. Grief.

Theſe ſimple Paſſions called *Appetite*, *Deſire*, *Love*, *Averſion*, *Hate*, *Joy*, and *Grief*, have their Names from divers Conſiderations diverſified. As firſt, when they one ſucceed another, they are diverſly called from the Opinion Men have of the Likelihood of attaining what they deſire. Secondly, from the Object loved or hated. Thirdly, from the Conſideration of many of them together. Fourthly, from the Alteration or Succeſſion itſelf.

Hope. For, *Appetite* with an Opinion of attaining, is called *Hope*.

Deſpair. The ſame, without ſuch Opinion, *Deſpair*.

Fear. *Averſion*, with Opinion of *Hurt* from the Object, *Fear*.

Courage. The ſame, with Hope of avoiding that Hurt by Reſiſtance, *Courage*.

Anger. Sudden *Courage*, *Anger*.

Confidence. Conſtant *Hope*, *Confidence* of ourſelves.

Diffidence. Conſtant *Deſpair*, *Diffidence* of ourſelves.

Indignation. *Anger* for great Hurt done to another, when we conceive the ſame to be done by Injury, *Indignation*.

Benevolence. Good Nature. *Deſire* of Good to another, *Benevolence*, *Good-Will*, *Charity*. If to Man generally, *Good Nature*.

Covetouſneſs. *Deſire* of Riches, *Covetouſneſs*, a Name uſed always in ſignification of Blame; becauſe Men contending for them, are diſpleaſed with one another's attaining them, though the Deſire in itſelf be to be blamed or allowed, according to the Means by which thoſe Riches are ſought.

Ambition.

Deſire of Office, or Precedence, ***Ambition*:** A Name uſed alſo in the worſt Senſe, for the Reaſon before mentioned.

Puſillanimity

Deſire of Things that conduce but a little to our Ends; and Fear of Things that are but of little Hindrance, *Puſillanimity.*

Magnanimity.

Contempt of little Helps, and Hindrances, *Magnanimity.*

Valour.

Magnanimity, in Danger of Death, or Wounds, *Valour*, *Fortitude.*

Liberality.

Magnanimity in the Uſe of Riches, *Liberality.*

Miſerableneſs.

Puſillanimity, in the ſame, *Wretchedneſs*, *Miſerableneſs*, or *Parſimony*; as it is liked or diſliked.

Kindneſs.

Love of Perſons for Society, *Kindneſs.*

Natural Luſt.

Love of Perſons for pleaſing the Senſe only, *Natural Luſt.*

Luxury.

Love of the ſame, acquired from Rumination, that is, Imagination of Pleaſure paſt, *Luxury.*

The Paſſion of Love.
Jealouſy.

Love of one ſingularly, with Deſire to be ſingularly beloved; *the Paſſion of Love.* The ſame, with Fear that the Love is not mutual, *Jealouſy.*

Revengefulneſs.

Deſire, by doing Hurt to another, to make him condemn ſome Fact of his own, *Revengefulneſs.*

Curioſity.

Deſire, to know why, and how, *Curioſity*; ſuch as is in no living Creature but *Man*: So that Man is diſtinguiſhed, not only by his Reaſon, but alſo by this ſingular Paſſion, from other *Animals*; in whom the Appetite of Food, and other Pleaſures of Senſe, by Predominance, take away the Care of knowing Cauſes; which is a Luſt of the Mind, that by a Perſeverance of Delight in the continual and indefatigable Generation of Knowledge, exceedeth the ſhort Vehemence of any carnal Pleaſure.

Religion.
Superſtition.
True Religion.

Fear of Power inviſible, feigned by the Mind, or imagined by Tales publicly allowed, *Religion*; not allowed, *Superſtition.* And when the Power imagined, is truly ſuch as we imagine, *True Religion.*

Panic.
Terror.

Fear, without the Apprehenſion of why, or what, *Panic*, *Terror*; called ſo from the Fables, that make *Pan* the Author of them; whereas in Truth, there is always in him that ſo feareth, firſt, ſome Apprehenſion of the Cauſe, though the reſt run away by Example; every one ſuppoſing his Fellow to know why. And therefore this Paſſion happens to none but in a Throng, or Multitude of People.

Admiration.

Joy, from Apprehenſion of Novelty, *Admiration*; proper to Man, becauſe it excites the Appetite of knowing the Cauſe.

Glory.
Vain-glory.

Joy, ariſing from Imagination of a Man's own Power and Ability, is that Exultation of the Mind which is called *Glorying*: Which if grounded upon the Experience of his own former Actions, is the ſame with *Confidence*: But if grounded on the Flattery of others, or only ſuppoſed by himſelf, for Delight in the Conſequences of it, is called *Vain-glory*: which Name is properly given; becauſe a well-grounded *Confidence* begetteth Attempt; whereas the ſuppoſing of Power does not, and is therefore rightly called *Vain.*

Dejection.

Grief, from Opinion of want of Power, is called *Dejection* of Mind.

The *Vain-glory* which conſiſteth in the feigning or ſuppoſing of Abilities in our ſelves, which we know are not, is moſt incident to young Men, and nouriſhed by the Hiſtories, or Fictions of gallant Perſons; and is corrected oftentimes by Age and Employment.

Sudden Glory.
Laughter.

Sudden Glory, is the Paſſion which maketh thoſe *Grimaces* called *Laughter*; and is cauſed either by ſome ſudden Act of their own, that pleaſeth them; or by the Apprehenſion of ſome deformed Thing in another, by Compariſon whereof they ſuddenly applaud themſelves. And it is incident moſt to them, that are conſcious of the feweſt Abilities in themſelves; who are forced to keep themſelves in their own Favour, by obſerving the Imperfections of other Men. And therefore much Laughter at the Defects of others, is a Sign of Puſillanimity. For of great Minds, one of the proper Works is, to help and free others from Scorn, and compare themſelves only with the moſt able.

Sudden Dejection. Weeping.

On the contrary, *ſudden Dejection* is the Paſſion that cauſeth *Weeping*; and is cauſed by ſuch Accidents, as ſuddenly take away ſome vehement Hope, or ſome Prop of their Power: And they are moſt ſubject to it, that rely principally on Helps external, ſuch as are Women, and Children. Therefore ſome weep for the Loſs of Friends; others for their Unkindneſs; others for the ſudden Stop made to their Thoughts of Revenge, by Reconciliation. But in all Caſes, both Laughter and Weeping are ſudden Motions; Cuſtom taking them both away. For no Man laughs at old Jeſts, or weeps for an old Calamity.

Shame. Bluſhing.

Grief, for the Diſcovery of ſome Defect of Ability, is *Shame*, or the Paſſion that diſcovereth itſelf in *Bluſhing*; and conſiſteth in the Apprehenſion of ſome Thing diſhonourable; and in young Men, is a Sign of the Love of good Reputation, and commendable: In old Men it is a Sign of the ſame; but becauſe it comes too late, not commendable.

Impudence.

The *Contempt* of good Reputation, is called *Impudence*.

Pity.

Grief, for the Calamity of another, is *Pity*; and ariſeth from the Imagination that the like Calamity may befal himſelf; and therefore is called alſo *Compaſſion*, and in the Phraſe of this preſent Time a *Fellow-feeling*: And therefore for Calamity arriving from great Wickedneſs, the beſt Men have the leaſt Pity; and for the ſame Calamity, thoſe have leaſt Pity, that think themſelves leaſt obnoxious to the ſame.

Cruelty.

Contempt, or little Senſe of the Calamity of others, is that which Men call *Cruelty*; proceeding from Security of their own Fortune. For, that any Man ſhould take Pleaſure in other Men's great Harms, without other End of his own, I do not conceive it poſſible.

Emulation. Envy.

Grief, for the Succeſs of a Competitor in Wealth, Honour, or other Good, if it be joined with Endeavour to enforce our own Abilities to equal or exceed him, is called *Emulation*: But joined with Endeavour to ſupplant, or hinder a Competitor, *Envy*.

Deliberation.

When in the Mind of Man, Appetites and Averſions, Hopes and Fears, concerning one and the ſame Thing, ariſe alternately; and divers good and evil Conſequences of the doing, or omitting the Thing propounded, come ſucceſſively into our Thoughts; ſo that ſometimes we have an Appetite to it; ſometimes an Averſion from it; ſometimes Hope to be able to do it; ſometimes Deſpair, or Fear to attempt it; the whole Sum of Deſires, Averſions, Hopes and Fears, continued till the Thing be either done, or thought impoſſible, is that we call *Deliberation*.

Therefore of Things paſt, there is no *Deliberation*; becauſe manifeſtly impoſſible to be changed: nor of Things known to be impoſſible, or thought ſo; becauſe Men know, or think ſuch Deliberation vain. But of Things impoſſible, which we think poſſible, we may deliberate, not knowing it is in vain. And it is called *Deliberation*, becauſe it is a putting an End to the *Liberty* we had of doing, or omitting, according to our own Appetite, or Averſion.

This alternate Succeſſion of Appetites, Averſions, Hopes and Fears, is no leſs in other living Creatures than in Man: and therefore Beaſts alſo deliberate.

Every *Deliberation* is then ſaid to *end*, when that whereof they deliberate is either done, or thought impoſſible; becauſe till then we retain the Liberty of doing, or omitting, according to our Appetite or Averſion.

The Will.

In *Deliberation*, the laſt Appetite, or Averſion, immediately adhering to the Action, or to the Omiſſion thereof, is that we call the *Will*; the Act (not the Faculty) of *willing*. And Beaſts that have *Deliberation*, muſt neceſſarily alſo have *Will*. The Definition of the *Will*, given commonly by the Schools, that it is a *rational Appetite*, is not good. For if it were, then could there be no voluntary Act againſt Reaſon. For a *voluntary Act* is that which proceedeth from the *Will*, and no other. But if inſtead of a rational Appetite, we ſhall ſay an Appetite reſulting from a precedent Deliberation, then the Definition is the ſame that I have given here. *Will* therefore *is the laſt Appetite in deliberating*. And though we ſay in common Diſcourſe, a Man had a Will once to do a Thing, that nevertheleſs he forbore to do; yet that is properly but an Inclination, which makes no Action voluntary; becauſe the Action depends not on it, but on the laſt Inclination, or Appetite. For if the intervenient Appetites make any Action voluntary, then by the ſame Reaſon all intervenient Averſions ſhould make the ſame Action involuntary; and ſo one and the ſame Action, ſhould be both voluntary and involuntary.

By this it is manifeſt, that not only Actions that have their Beginning from Covetouſneſs, Ambition, Luſt, or other Appetites to the Thing propounded; but alſo thoſe that have their Beginning from Averſion, or Fear of thoſe Conſequences that follow the Omiſſion, are *voluntary Actions*.

Forms of Speech, in Paſſion.

The Forms of Speech by which the Paſſions are expreſſed, are partly the ſame, and partly different from thoſe, by which we expreſs our Thoughts. And firſt, generally all Paſſions may be expreſſed *indicatively*; as, *I love*, *I fear*, *I joy*, *I deliberate*, *I will*, *I command*: but ſome of them have particular Expreſſions by themſelves, which nevertheleſs are not Affirmations, unleſs it be when they ſerve to make other Inferences, beſides that of the Paſſion they proceed from. Deliberation is expreſſed *ſubjunctively*; which is a Speech proper to ſignify Suppoſitions, with their Conſequences; as, *If this be done, then this will follow*; and differs not from the Language of Reaſoning, ſave that Reaſoning is in general Words, but Deliberation for the moſt Part is of Particulars. The Language of Deſire, and Averſion, is *imperative*; as *Do this, forbear that*; which when the Party is obliged to do, or forbear, is *Command*; otherwiſe *Prayer*, or elſe *Counſel*. The Language of Vain-glory, of Indignation, Pity and Revengefulneſs, *optative*: But of the Deſire to know, there is a peculiar Expreſſion, called *Interrogative*; as, *What is it, when ſhall it, how is it done*, and *why ſo?* other Language of the Paſſions I find none: For curſing, ſwearing, reviling, and the like, do not ſignify as Speech; but as the Actions of a Tongue accuſtomed.

Theſe Forms of Speech, I ſay, are Expreſſions, or voluntary Significations of our Paſſions: but certain Signs they be not; becauſe they may be uſed arbitrarily, whether they that uſe them have ſuch Paſſions or not. The beſt Signs of Paſſions preſent, are either in the Countenance, Motions of the Body, Actions, and Ends, or Aims, which we otherwiſe know the Man to have.

Good and Evil apparent.

And becauſe in Deliberation, the Appetites and Averſions are raiſed by Foreſight of the good and evil Conſequences, and Sequels of the Action whereof we deliberate; the good or evil Effect thereof dependeth on the Foreſight of a long Chain of Conſequences, of which very ſeldom any Man is able to ſee to the End. But for ſo far as a Man ſeeth, if the Good in thoſe Conſequences be greater than the Evil, the whole Chain is that which Writers call *apparent* or *ſeeming Good*. And certainly, when the Evil exceedeth the Good, the whole is *apparent* or *ſeeming*

ing Evil: ſo that he who hath by Experience or Reaſon, the greateſt and ſureſt Proſpect of Conſequences, deliberates beſt himſelf; and is able when he will, to give the beſt Counſel unto others.

Felicity.

Continual Succeſs in obtaining thoſe Things which a Man from time to time deſireth, that is to ſay, continual Proſpering, is that Men call *Felicity*; I mean the Felicity of this Life. For there is no ſuch Thing as perpetual Tranquility of Mind, while we live here; becauſe Life itſelf is but Motion, and can never be without Deſire, nor without Fear, no more than without Senſe. What Kind of Felicity God hath ordained to them that devoutly honour him, a Man ſhall no ſooner know, than enjoy; being Joys that now are as incomprehenſible, as the Word of Schoolmen *Beatifical Viſion* is unintelligible.

Praiſe.
Magnification.
μακαρισμὸς.

The Form of Speech whereby Men ſignify their Opinion of the Goodneſs of any Thing, is *Praiſe*. That whereby they ſignify the Power and Greatneſs of any Thing, is *Magnifying*. And that whereby they ſignify the Opinion they have of a Man's Felicity, is by the Greeks called μακαρισμός, for which we have no Name in our Tongue. And thus much is ſufficient for the preſent Purpoſe, to have been ſaid of the *Paſſions*.

CHAP. VII.

Of the Ends, *or* Reſolutions *of* DISCOURSE.

OF all *Diſcourſe*, governed by Deſire of Knowledge, there is at laſt an *End*, either by attaining, or by giving over. And in the Chain of Diſcourſe, whereſoever it be interrupted, there is an End for that Time.

If the Diſcourſe be merely mental, it conſiſteth of Thoughts that the Thing will be, and will not be; or that it has been, and has not been, alternately. So that whereſoever you break off the Chain of a Man's Diſcourſe, you leave him in a Preſumption of *it will be*, or *it will not be*; or *it has been*, or *has not been*. All which is *Opinion*. And that which is alternate Appetite, in deliberating concerning Good and Evil; the ſame is alternate Opinion, in the Enquiry of the Truth of *Paſt*, and *Future*. And as the laſt Appetite in Deliberation, is called the *Will*; ſo the laſt Opinion in Search of the Truth of Paſt, and Future, is called the *Judgment*, or *Reſolve* and *Final Sentence* of him that *diſcourſeth*. And as the whole Chain of Appetites alternate, in the Queſtion of Good, or Bad, is called *Deliberation*; ſo the whole Chain of Opinions alternate, in the Queſtion of True, or Falſe, is called *Doubt*.

Judgment, or Sentence final.

Doubt.

No Diſcourſe whatſoever, can end in abſolute Knowledge of Fact, paſt, or to come. For, as for the Knowledge of Fact, it is originally Senſe; and ever after, Memory. And for the Knowledge of Conſequence, which I have ſaid before is called Science, it is not abſolute, but conditional. No Man can know by Diſcourſe, that this, or that, is, has been, or will be; which is to know abſolutely: but only, that if this be, that is; if this has been, that has been; if this ſhall be, that ſhall be: which is to know conditionally; and that not the Conſequence of one Thing to another; but of one Name of a Thing, to another Name of the ſame Thing.

Science.

And therefore, when the Diſcourſe is put into Speech, and begins with the Definitions of Words, and proceeds by Connexion of the ſame into general Affirmations, and of theſe again into Syllogiſms; the End or laſt Sum is called the Concluſion; and the Thought of the Mind by it ſignified, is that conditional Knowledge of the Conſequence of Words, which is commonly called *Science*. But if the firſt Ground of ſuch Diſcourſe, be not Definitions; or if Definitions be not rightly joined together

Opinion. Conſcience.

gether in Syllogiſms, then the End or Concluſion is again *Opinion*, namely of the Truth of ſomewhat ſaid, though ſometimes in abſurd and ſenſeleſs Words, without Poſſibility of being underſtood. When two, or more Men know of one and the ſame Fact, they are ſaid to be *conſcious* of it one to another; which is as much as to know it together. And becauſe ſuch are fitteſt Witneſſes of the Facts of one another, or of a third; it was, and ever will be reputed a very evil Act, for any Man to ſpeak againſt his *Conſcience*; or to corrupt or force another ſo to do; inſomuch that the Plea of Conſcience has been always hearkened unto very diligently in all Times. Afterwards, Men made uſe of the ſame Word metaphorically, for the Knowledge of their own ſecret Facts, and ſecret Thoughts; and therefore it is rhetorically ſaid, that the Conſcience is a thouſand Witneſſes. And laſt of all, Men, vehemently in Love with their own new Opinions, (though never ſo abſurd) and obſtinately bent to maintain them, gave thoſe their Opinions alſo that reverenced Name of Conſcience, as if they would have it ſeem unlawful, to change or ſpeak againſt them; and ſo pretend to know they are true, when they know at moſt, but that they think ſo.

Belief. Faith.

When a Man's Diſcourſe beginneth not at Definitions, it beginneth either at ſome other Contemplation of his own, and then it is ſtill called Opinion; or it beginneth at ſome Saying of another, of whoſe Ability to know the Truth, and of whoſe Honeſty in not deceiving, he doubteth not; and then the Diſcourſe is not ſo much concerning the Thing, as the Perſon; and the Reſolution is called *Belief*, and *Faith*: *Faith*, *in* the Man; *Belief*, both *of* the Man, and *of* the Truth of what he ſays. So that in Belief are two Opinions; one of the Saying of the Man, the other of his Virtue. To *have Faith in*, or *truſt to*, or *believe a Man*, ſignify the ſame Thing; namely, an Opinion of the Veracity of the Man: But to *believe what is ſaid*, ſignifieth only an Opinion of the Truth of the Saying. But we are to obſerve that this Phraſe, *I believe in*; as alſo the Latin, *Credo in*; and the Greek, πιςευω ἔις, are never uſed but in the Writings of Divines. Inſtead of them, in other Writings are put, *I believe him*; *I truſt him*; *I have Faith in him*; *I rely on him*: and in Latin, *Credo illi*; *Fido illi*: and in Greek, πιςέυω ἀυτῷ: and that this Singularity of the Eccleſiaſtic Uſe of the Word hath raiſed many Diſputes about the right Object of the Chriſtian Faith.

But by *Believing in*, as it is in the Creed, is meant, not Truſt in the Perſon; but Confeſſion and Acknowledgment of the Doctrine. For not only Chriſtians, but all Manner of Men do ſo believe in God, as to hold all for Truth they hear him ſay, whether they underſtand it or not; which is all the Faith and Truſt can poſſibly be had in any Perſon whatſoever: But they do not all believe the Doctrine of the Creed.

From whence we may infer, that when we believe any Saying, whatſoever it be, to be true, from Arguments taken, not from the Thing itſelf, or from the Principles of natural Reaſon, but from the Authority, and good Opinion we have of him that hath ſaid it; then is the Speaker, or Perſon we believe in, or truſt in, and whoſe Word we take, the Object of our Faith; and the Honour done in believing, is done to him only. And conſequently, when we believe that the Scriptures are the Word of God, having no immediate Revelation from God himſelf, our Belief, Faith, and Truſt is in the Church; whoſe Word we take, and acquieſce therein. And they that believe that which a Prophet relates unto them in the Name of God, take the Word of the Prophet, do honour to him, and in him truſt and believe, touching the Truth of what he relateth, whether he be a true, or a falſe Prophet. And ſo it is alſo with all other Hiſtory. For if I ſhould not believe all that is written by

Hiſtorians, of the glorious Acts of *Alexander*, or *Cæſar*; I do not think the Ghoſt of *Alexander*, or *Cæſar*, had any juſt Cauſe to be offended; or any Body elſe, but the Hiſtorian. If *Livy* ſay the Gods made once a Cow ſpeak, and we believe it not; we diſtruſt not God therein, but *Livy*. So that it is evident, that whatſoever we believe upon no other Reaſon, than what is drawn from Authority of Men only, and their Writings; whether they be ſent from God or not, is Faith in Men only.

CHAP VIII.

Of the VIRTUES *commonly called* INTELLECTUAL; *and their contrary* DEFECTS.

Intellectual Virtue defined.

VIRTUE, generally, in all Sorts of Subjects, is ſomewhat that is valued for Eminence; and conſiſteth in Compariſon. For if all things were equally in all Men, nothing would be prized. And by *Virtues Intellectual* are always underſtood ſuch Abilities of the Mind, as Men praiſe, value, and deſire ſhould be in themſelves; and go commonly under the Name of a *good Wit*; though the ſame Word *Wit* be uſed alſo to diſtinguiſh one certain Ability from the reſt.

Wit, Natural, or Acquired.

Natural Wit.

Dulneſs.

Theſe *Virtues* are of two Sorts; *Natural*, and *Acquired*. By Natural, I mean not that which a Man hath from his Birth; for that is nothing elſe but Senſe; wherein Men differ ſo little from one another, and from brute Beaſts, as it is not to be reckoned amongſt Virtues. But I mean that *Wit* which is gotten by Uſe only, and Experience; without Method, Culture, or Inſtruction. This *Natural Wit* conſiſteth principally in two Things; *Celerity of Imagining*, (that is, ſwift Succeſſion of one Thought to another;) and *ſteady Direction* to ſome approved End. On the contrary, a ſlow Imagination maketh that Defect or Fault of the Mind, which is commonly called *Dulneſs*, *Stupidity*, and ſometimes by other Names that ſignify Slowneſs of Motion, or Difficulty to be moved.

Good Wit, or Fancy.

Good Judgment.

Diſcretion.

And this Difference of Quickneſs is cauſed by the Difference of Men's Paſſions, that love and diſlike, ſome one Thing, ſome another; and therefore ſome Men's Thoughts run one Way, ſome another; and are held to, and obſerve differently the Things that paſs through their Imagination. And whereas in this Succeſſion of Men's Thoughts there is nothing to obſerve in the Things they think on, but either in what they be *like one another*, or in what they be *unlike*, or *what they ſerve for*, or *how they ſerve to ſuch a Purpoſe*; thoſe that obſerve their Similitudes, in caſe they be ſuch as are but rarely obſerved by others, are ſaid to have a *Good Wit*; by which, in this Occaſion, is meant a *Good Fancy*. But they that obſerve their Differences and Diſſimilitudes, which is called *Diſtinguiſhing*, and *Diſcerning*, and *Judging* between Thing and Thing; in caſe ſuch Diſcerning be not eaſy, are ſaid to have a *Good Judgment*; and particularly in Matter of Converſation and Buſineſs; wherein Times, Places, and Perſons are to be diſcerned, this Virtue is called *Diſcretion*, The former, that is, Fancy, without the Help of Judgment, is not commended as a Virtue; but the latter, which is Judgment, and Diſcretion, is commended for itſelf, without the Help of Fancy. Beſides the Diſcretion of Times, Places, and Perſons, neceſſary to a good Fancy, there is required alſo an often Application of his Thoughts to their End; that is to ſay, to ſome Uſe to be made of them. This done, he that hath this Virtue, will be eaſily fitted with Similitudes that will pleaſe, not only by Illuſtration of his Diſcourſe, and adorning it with new and apt Metaphors, but alſo by the Rarity of their Invention. But without Steadineſs and Direction to ſome End, a great Fancy is one Kind of Madneſs; ſuch as they have, that entering into any Diſcourſe are ſnatch'd from their Purpoſe by every thing that comes in their Thought, into ſo many, and ſo long Digreſſions and Parentheſes, that they utterly loſe themſelves: Which Kind of Folly I know no particular Name for; but the Cauſe of it is, ſometimes want of Experience, whereby that ſeemeth to a Man new and rare, which doth not ſo to others: Sometimes Puſillanimity; by which that ſeems great to him, which other Men think a Trifle; and whatſoever is new, or great, and therefore thought fit to be told, withdraws a Man by Degrees from the intended Way of his Diſcourſe.

In a good Poem, whether it be *Epic* or *Dramatic*, as alſo in *Sonnets*, *Epigrams*, and other Pieces, both Judgment and Fancy are required; but the Fancy muſt be more eminent, becauſe they pleaſe for the Extravagancy; but they ought not to diſpleaſe by Indiſcretion.

In a good Hiſtory, the Judgment muſt be eminent; becauſe the Goodneſs conſiſteth in the Method, in the Truth, and in the Choice of the Actions that are moſt profitable to be known. Fancy has no Place, but only in adorning the Stile.

In Orations of Praiſe, and in Invectives, the Fancy is predominant; becauſe the Deſign is not Truth, but to Honour, or Diſhonour; which is done by noble, or by vile Compariſons. The Judgment does but ſuggeſt what Circumſtances make an Action laudable or culpable.

In Hortatives, and Pleadings, as Truth or Diſguiſe ſerveth beſt to the Deſign in Hand, ſo is the Judgment or the Fancy moſt required.

In Demonſtration, in Counſel, and all rigorous Search of Truth, Judgment does all; except ſometimes the Underſtanding have need to be opened by ſome apt Similitude; and then there is ſo much Uſe of Fancy. But for Metaphors, they are in this Caſe utterly excluded. For ſeeing they openly profeſs Deceit, to admit them into Counſel or Reaſoning were manifeſt Folly.

And in any Diſcourſe whatſoever, if the Defect of Diſcretion be apparent, how extravagant ſoever the Fancy be, the whole Diſcourſe will be taken for a Want of Wit; and ſo will it never when the Diſcretion is manifeſt, though the Fancy be ever ſo ordinary.

The ſecret Thoughts of a Man run over all Things, holy, profane, clean, obſcene, grave, and light, without Shame or Blame; which verbal Diſcourſe cannot do, farther than the Judgment ſhall approve of the Time, Place, and Perſons. An Anatomiſt or a Phyſician may ſpeak or write his Judgment of unclean Things, becauſe it is not to pleaſe but to profit; but for another Man to write his extravagant and pleaſant Fancies of the ſame, is as if a Man, from being tumbled into the Dirt, ſhould come and preſent himſelf before good Company. And it is the Want of Diſcretion that makes the Difference. Again, in profeſt Remiſneſs of Mind, and familiar Company, a Man may play with the Sounds and equivocal Significations of Words; and that many times with Encounters of extraordinary Fancy; but in a Sermon, or in Public, or before Perſons unknown, or whom we ought to reverence, there is no jingling of Words that will not be accounted Folly; and the Difference is only in the Want of Diſcretion. So that where Wit is wanting, it is not Fancy that is wanting, but Diſcretion. Judgment therefore without Fancy is Wit, but Fancy without Judgment not.

When the Thoughts of a Man, that has a Deſign in hand, running over a Multitude of Things, obſerves how they conduce to that Deſign; or what Deſign they may conduce unto; if his Obſervations be ſuch as are not eaſy or uſual, this Wit of his is called *Prudence*; and dependeth Prudence.

on much Experience, and Memory of the like Things, and their Conſequences heretofore. In which there is not ſo much Difference of Men, as there is in their Fancies and Judgments; becauſe the Experience of Men equal in Age, is not much unequal, as to the Quantity; but lies in different Occaſions; every one having his private Deſigns. To govern well a Family, and a Kingdom, are not different Degrees of Prudence, but different Sorts of Buſineſs; no more than to draw a Picture in little, or as great or greater than the Life, are different Degrees of Art. A plain Huſbandman is more prudent in Affairs of his own Houſe, than a Privy-Counſellor in the Affairs of another Man.

Craft.

To Prudence, if you add the Uſe of unjuſt or diſhoneſt Means, ſuch as uſually are prompted to Men by Fear or Want; you have that crooked Wiſdom, which is called *Craft*; which is a Sign of Puſillanimity. For Magnanimity is Contempt of unjuſt or diſhoneſt Helps. And that which the *Latins* call *Verſutia*, (tranſlated into *Engliſh*, *Shifting)* and is a putting off of a preſent Danger or Incommodity, by engaging into a greater, as when a Man robs one to pay another, is but a ſhorter-ſighted Craft, called *Verſutia*, from *Verſura*, which ſignifies taking Money at Uſury, for the preſent Payment of Intereſt.

Acquired Wit.

As for *acquired Wit*, (I mean acquired by Method and Inſtruction) there is none but Reaſon; which is grounded on the right Uſe of Speech, and produceth the Sciences. But of Reaſon and Science, I have already ſpoken in the fifth and ſixth Chapters.

The Cauſes of this Difference of Wits, are in the Paſſions: and the Difference of Paſſions proceedeth partly from the different Conſtitution of the Body, and partly from different Education. For if the Difference proceeded from the Temper of the Brain, and the Organs of Senſe, either exterior or interior, there ſhould be no leſs Difference of Men in their Sight, Hearing or other Senſes, than in their Fancies and Diſcretions. It proceeds therefore from the Paſſions; which are different, not only from the Difference of Men's Complexions, but alſo from their Difference of Cuſtoms and Education.

The Paſſions that moſt of all cauſe the Differences of Wit, are principally, the more or leſs Deſire of Power, of Riches, of Knowledge, and of Honour. All which may be reduced to the firſt, that is, Deſire of Power. For Riches, Knowledge, and Honour, are but ſeveral Sorts of Power.

Giddineſs.

Madneſs.

And therefore, a Man who has no great Paſſion for any of theſe Things, but is, as Men term it, indifferent; though he may be ſo far a good Man, as to be free from giving Offence, yet he cannot poſſibly have either a great Fancy, or much Judgment. For the Thoughts are to the Deſires, as Scouts and Spies to range abroad, and find the Way to the Things deſired: all Steadineſs of the Mind's Motion, and all Quickneſs of the ſame, proceeding from thence. For as to have no Deſire, is to be dead; ſo to have weak Paſſions, is Dulneſs; and to have Paſſions indifferently for every Thing, *Giddineſs* and *Diſtraction*; and to have ſtronger, and more vehement Paſſions for any thing, than is ordinarily ſeen in others, is that which Men call *Madneſs*.

Whereof there be almoſt as many Kinds, as of the Paſſions themſelves. Sometimes the extraordinary and extravagant Paſſion proceedeth from the evil Conſtitution of the Organs of the Body, or Harm done them; and ſometimes the Hurt, and Indiſpoſition of the Organs, is cauſed by the Vehemence, or long Continuance of the Paſſion. But in both Caſes the Madneſs is of one and the ſame Nature.

The Paſſion, whoſe Violence or Continuance maketh Madneſs, is either great *Vain-glory*; which is commonly called *Pride*, and *Selfconceit*; or great *Dejection* of Mind.

Pride ſubjecteth a Man to Anger, the Exceſs whereof is the Madneſs called *Rage* and *Fury*. And thus it comes to paſs, that exceſſive Deſire of Revenge, when it becomes habitual, hurteth the Organs, and becomes Rage: That exceſſive Love, with Jealouſy, becomes alſo Rage: Exceſſive Opinion of a Man's own ſelf, for Divine Inſpiration, for Wiſdom, Learning, Form, and the like, becomes Diſtraction and Giddineſs: The ſame, joined with Envy, Rage: Vehement Opinion of the Truth of any thing, contradicted by others, Rage.

Rage.

Dejection ſubjects a Man to cauſeleſs Fears; which is a Madneſs commonly called *Melancholy*, apparent alſo in divers manners; as in haunting of Solitudes, and Graves; in ſuperſtitious Behaviour; and in fearing ſome one, ſome another particular Thing. In ſum, all Paſſions that produce ſtrange and unuſual Behaviour, are called by the general Name of Madneſs. But of the ſeveral Kinds of Madneſs, he that would take Pains, might enrol a Legion. And if the Exceſſes be Madneſs, there is no Doubt but the Paſſions themſelves, when they tend to Evil, are Degrees of the ſame.

Melancholy.

For Example, Though the Effect of Folly, in them that are poſſeſſed of an Opinion of being inſpired, be not viſible always in one Man, by any very extravagant Action, that proceedeth from ſuch Paſſion; yet when many of them conſpire together, the Rage of the whole Multitude is viſible enough. For what Argument of Madneſs can there be greater, than to clamour, ſtrike, and throw Stones at our beſt Friends? Yet this is ſomewhat leſs than ſuch a Multitude will do. For they will clamour, fight againſt, and deſtroy thoſe, by whom all their Life-time before they have been protected, and ſecured from Injury. And if this be Madneſs in the Multitude, it is the ſame in every particular Man. For as in the midſt of the Sea, though a Man perceive no Sound of that Part of the Water next him; yet he is well aſſured, that Part contributes as much to the Roaring of the Sea, as any other Part of the ſame Quantity: ſo alſo, though we perceive no great Unquietneſs in one or two Men, yet we may be well aſſured, that their ſingular Paſſions are Parts of the ſeditious Roaring of a troubled Nation. And if there were nothing elſe that bewray'd their Madneſs, yet that very arrogating ſuch Inſpiration to themſelves, is Argument enough. If ſome Man in *Bedlam* ſhould entertain you with ſober Diſcourſe, and you deſire in taking Leave, to know what he were, that you might another Time requite his Civility; and he ſhould tell you, he were God the Father; I think you need expect no extravagant Action for Argument of his Madneſs.

This Opinion of Inſpiration, called commonly private Spirit, begins very often from ſome lucky finding of an Error generally held by others; and not knowing, or not remembering, by what Conduct of Reaſon they came to ſo ſingular a Truth, (as they think it, though it be many times an Untruth they light on) they preſently admire themſelves; as being in the ſpecial Grace of God Almighty, who hath revealed the ſame to them ſupernaturally, by his Spirit.

Again, that Madneſs is nothing elſe, but too much appearing Paſſion, may be gathered out of the Effects of Wine, which are the ſame with thoſe of the evil Diſpoſition of the Organs. For the Variety of Behaviour in Men that have drunk too much, is the ſame with that of Madmen: ſome of them Raging, others Loving, others Laughing, all extravagantly, but according to their ſeveral domineering Paſſions: For the Effect of the Wine does but remove Diſſimulation, and take from them the Sight of the Deformity of their Paſſions. For (I believe) the moſt ſober Men, when they walk alone without Care and Employment of the Mind, would be unwilling the Vanity and Extravagance of their

Thoughts at that Time ſhould be publicly ſeen: which is a Confeſſion, that Paſſions unguided are for the moſt part mere Madneſs.

The Opinions of the World, both in antient and later Ages, concerning the Cauſe of Madneſs, have been two. Some, deriving them from the Paſſions; ſome, from Dæmons, or Spirits, either good or bad, which they thought might enter into a Man, poſſeſs him, and move his Organs in ſuch ſtrange and uncouth Manner, as Madmen uſe to do. The former Sort therefore, called ſuch Men, Madmen: but the latter called them ſometimes *Dæmonaics*, (that is, poſſeſſed with Spirits;) ſometimes *Energumeni*, (that is, agitated, or moved with Spirits;) and now in *Italy* they are called not only *Pazzi*, Madmen; but alſo *Spiritati*, Men poſſeſſed.

There was once a great Conflux of People in *Abdera*, a City of the *Greeks*, at the acting of the Tragedy of *Andromeda*, upon an extreme hot Day: whereupon, a great many of the Spectators falling into Fevers, had this Accident from the Heat, and from the Tragedy together, that they did nothing but pronounce Iambics, with the Names of *Perſeus* and *Andromeda*; which together with the Fever, was cured by the coming on of the Winter: And this Madneſs was thought to proceed from the Paſſion imprinted by the Tragedy. Likewiſe there raged a Fit of Madneſs in another *Grecian* City, which ſeized only the young Maidens; and cauſed many of them to hang themſelves. This was by moſt then thought an Act of the Devil. But one that ſuſpected, that Contempt of Life in them might proceed from ſome Paſſion of the Mind, and ſuppoſing they did not contemn alſo their Honour, gave Counſel to the Magiſtrates, to ſtrip ſuch as ſo hang'd themſelves, and let them hang out naked. This the Story ſays cured that Madneſs. But on the other Side, the ſame *Grecians* did often aſcribe Madneſs to the Operation of the *Eumenides*, or Furies; and ſometimes of *Ceres*, *Phœbus*, and other Gods: ſo much did Men attribute to Phantaſms, as to think them aëreal living Bodies; and generally to call them Spirits. And as the *Romans* in this held the ſame Opinion with the *Greeks*, ſo alſo did the *Jews*; for they called Madmen Prophets, or (according as they thought the Spirits good or bad) Dæmoniacs; and ſome of them called both Prophets and Dæmonaics, Madmen; and ſome called the ſame Man both Dæmonaic and Madman. But for the Gentiles, 'tis no wonder; becauſe Diſeaſes and Health, Vices and Virtues, and many natural Accidents, were with them termed, and worſhipped as Dæmons. So that a Man was to underſtand by Dæmon, as well (ſometimes) an Ague, as a Devil. But for the *Jews* to have ſuch Opinion, is ſomewhat ſtrange. For neither *Moſes* nor *Abraham* pretended to propheſy by Poſſeſſion of a Spirit; but from the Voice of God, or by a Viſion or Dream: Nor is there any Thing in his Law, moral or ceremonial, by which they were taught there was any ſuch Enthuſiaſm, or any Poſſeſſion. When God is ſaid, *Numb.* xi. 25. to take from the Spirit that was in *Moſes*, and give to the ſeventy Elders; the Spirit of God (taking it for the Subſtance of God) is not divided. The Scriptures by the Spirit of God in Man, mean a Man's Spirit, inclined to Godlineſs. And where it is ſaid, *Exod.* xxviii. 3. *Whom I have filled with the Spirit of Wiſdom to make Garments for Aaron*, it is not meant a Spirit put into them, that can make Garments; but the Wiſdom of their own Spirits in that Kind of Work. In the like Senſe, the Spirit of Man, when it produceth unclean Actions, is ordinarily called an unclean Spirit; and ſo other Spirits, though not always, yet as often as the Virtue or Vice ſo ſtiled, is extraordinary, and eminent. Neither did the other Prophets of the Old Teſtament pretend Enthuſiaſm; or, that God ſpake in them, but to them by Voice, Viſion, or Dream; and the *Burden of the Lord* was not Poſſeſſion, but Command. How then could the *Jews* fall into this Opinion of Poſſeſſion? I can imagine no Reaſon, but that which is common to all Men; namely, the Want of Curioſity to ſearch natural Cauſes; and their placing Felicity in the Acquiſition of the groſs Pleaſures of the Senſes, and the Things that moſt immediately conduce thereto. For they that ſee any ſtrange and unuſual Ability or Defect in a Man's Mind, unleſs they they ſee withal from what Cauſe it may probably proceed, can hardly think it natural, they muſt needs think it ſupernatural; and then what can it be, but that either God, or the Devil is in him? And hence it came to paſs, when our Saviour, (*Mark* iii. 21.) was compaſſed about with the Multitude, thoſe of the Houſe doubted he was mad, and went out to hold him; but the Scribes ſaid he had *Beelzebub*, and that was it by which he caſt out Devils; as if the greater Madman had awed the leſſer. And that (*John* x. 20.) ſome ſaid, *He hath a Devil, and is mad*; whereas others holding him for a Prophet, ſaid, *Theſe are not the Words of one that hath a Devil.* So in the Old Teſtament he that came to anoint *Jehu*, 2 *Kings* ix. 11. was a Prophet; but ſome of the Company aſked *Jehu*, *What came that Madman for?* So that in ſum it is manifeſt, that whoſoever behaveth himſelf in an extraordinary Manner, was thought by the *Jews* to be poſſeſſed either with a good or evil Spirit; except by the *Sadducees*, who erred ſo far on the other Hand, as not to believe there were at all any Spirits (which is very near to direct Atheiſm;) and thereby perhaps the more provoked others, to term ſuch Men Dæmonaics, rather than Madmen.

But why then does our Saviour proceed in the curing of them, as if they were poſſeſſed, and not as if they were mad? to which I can give no other kind of Anſwer, but that which is given to thoſe that urge the Scripture in like Manner againſt the Opinion of the Motion of the Earth. The Scripture was written to ſhew unto Men the Kingdom of God, and to prepare their Minds to become his obedient Subjects; leaving the World and the Philoſophy thereof to the Diſputation of Men, for the exerciſing of their natural Reaſon. Whether the Earth's or Sun's Motion make the Day and Night, or whether the exorbitant Actions of Men proceed from Paſſion, or from the Devil, (ſo we worſhip him not) it is all one, as to our Obedience and Subjection to God Almighty, which is the Thing for which the Scripture was written. As for that our Saviour ſpeaketh to the Diſeaſe as to a Perſon, it is the uſual Phraſe of all that cure by Words only, as Chriſt did, (and Inchanters pretend to do, whether they ſpeak to a Devil or not.) For is not Chriſt alſo ſaid (*Matth.* viii. 26.) to have rebuked the Winds? Is not he ſaid alſo (*Luke* iv. 39.) to rebuke a Fever? Yet this doth not argue that a Fever is a Devil. And whereas many of thoſe Devils are ſaid to confeſs Chriſt; it is not neceſſary to interpret thoſe Places otherwiſe, than that thoſe Madmen confeſſed him. And whereas our Saviour (*Matth.* xii. 43.) ſpeaketh of an unclean Spirit, that having gone out of a Man, wandereth through dry Places, ſeeking Reſt, and finding none; and returning into the ſame Man, with ſeven other Spirits worſe than himſelf; it is manifeſtly a Parable, alluding to a Man, that after a little Endeavour to quit his Luſts, is vanquiſhed by the Strength of them, and becomes ſeven times worſe than he was. So that I ſee nothing at all in the Scripture, that requireth a Belief, that Dæmoniacs were any other thing but Madmen.

Inſignificant Speech.

There is yet another Fault in the Diſcourſe of ſome Men; which may alſo be numbered amongſt the Sorts of Madneſs; namely, that Abuſe of Words, whereof I have ſpoken before in the fifth Chapter, by the Name of Abſurdity. And that is, when Men ſpeak ſuch Words, as put together have in them no Signification at all; but are fallen upon

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by ſome, through Miſunderſtanding of the Words they have received, and repeat by Rote; by others, from Intention to deceive by Obſcurity. And this is incident to none but thoſe that converſe in Queſtions of Matters incomprehenſible, as the Schoolmen; or in Queſtions of abſtruſe Philoſophy. The common ſort of Men ſeldom ſpeak inſignificantly, and are therefore by thoſe other egregious Perſons counted Idiots. But to be aſſured their Words are without any thing correſpondent to them in the Mind, there would need ſome Examples; which if any Man require, let him take a Schoolman into his Hands, and ſee if he can tranſlate any one Chapter concerning any difficult Point; as the Trinity, the Deity, the Nature of Chriſt, Tranſubſtantiation, Free-will, *&c.* into any of the modern Tongues, ſo as to make the ſame intelligible; or into any tolerable *Latin*, ſuch as they were acquainted withal, that lived when the *Latin* Tongue was vulgar. What is the Meaning of theſe Words: *The firſt Cauſe does not neceſſarily inflow any thing into the ſecond, by Force of the eſſential Subordination of the ſecond Cauſes, by which it may help it to work?* They are the Tranſlation of the Title of the ſixth Chapter of *Suarez* firſt Book, *Of the Concourſe, Motion, and Help of God.* When Men write whole Volumes of ſuch Stuff, are they not mad, or intend to make others ſo? And particularly in the Queſtion of Tranſubſtantiation; where, after certain Words ſpoken, they that ſay, the White*neſs*, Round*neſs*, Magnit*ude*, Qual*ity*, Corruptibil*ity*, all which are incorporeal, *&c.* go out of the Wafer into the Body of our bleſſed Saviour, do they not make thoſe *Neſſes*, *Tudes*, and *Ties*, to be ſo many Spirits poſſeſſing his Body? For by Spirits, they mean always Things, that being incorporeal, are nevertheleſs moveable from one Place to another. So that this Kind of Abſurdity may rightly be numbered amongſt the many Sorts of Madneſs; and all the Time, that guided by clear Thoughts of their worldly Luſt, they forbear diſputing or writing thus, but lucid Intervals. And thus much of the Virtues and Defects Intellectual.

CHAP. IX.

Of the ſeveral SUBJECTS of KNOWLEDGE.

THERE are of *Knowledge*, two Kinds; whereof one is *Knowledge of Fact*; the other *Knowledge of the Conſequence of one Affirmation to another*. The former is nothing elſe but Senſe and Memory, and is *Abſolute Knowledge*; as when we ſee a Fact doing, or remember it done; and this is the Knowledge required in a Witneſs. The latter is called *Science*, and is *continual*; as when we know, that, *if the Figure ſhewn be a Circle, then any ſtraight Line through the Center ſhall divide it into two equal Parts.* And this is the Knowledge required in a Philoſopher; that is to ſay, of him that pretends to Reaſoning.

The Regiſter of *Knowledge of Fact* is called *Hiſtory*. Whereof there be two Sorts: one called *Natural Hiſtory*; which is the Hiſtory of ſuch Facts, or Effects of Nature, as have no Dependance on Man's *Will*; ſuch as are the Hiſtories of *Metals*, *Plants*, *Animals*, *Regions*, and the like. The other is *Civil Hiſtory*; which is the Hiſtory of the voluntary Actions of Men in Commonwealths.

The Regiſters of Science, are ſuch *Books* as contain the *Demonſtrations* of the Conſequences of one Affirmation to another; and are commonly called *Books of Philoſophy*; whereof the Sorts are many, according to the Diverſity of the Matter; and may be divided in ſuch Manner as I have divided them in the following Table.

- SCIENCE, that is, Knowledge of Conſequences; which is called alſo PHILOSOPHY.
  - Conſequences from the Accidents of Bodies Natural; which is called NATURAL PHILOSOPHY.
    - Conſequences from the Accidents common to all Bodies Natural; which are *Quantity* and *Motion*.
      - Conſequences from Quantity, and Motion *indeterminate*; which being the Principles, or firſt Foundation of Philoſophy, is called *Philoſophia Prima*. PHILOSOPHIA PRIMA.
      - Conſequences from Motion, and Quantity *determined*.
        - Conſequences from Quantity, and Motion determined. *Mathematics*,
          - By Figure, ... GEOMETRY.
          - By Number, ... ARITHMETIC.
        - Conſequences from the Motion, and Quantity of Bodies in *Special*.
          - Conſequences from the Motion, and Quantity of the great Parts of the World, as the *Earth* and *Stars*, *Coſmography*,
            - ASTRONOMY.
            - GEOGRAPHY.
          - Conſequences from the Motion of Special Kinds, and Figures of Body. *Mechanics*, Doctrine of *Weight*,
            - *Science* of ENGINEERS.
            - ARCHITECTURE.
            - NAVIGATION.
    - PHYSICS, or Conſequences from *Qualities*.
      - Conſequences from the Qualities of Bodies *Tranſient*, ſuch as ſometimes appear, ſometimes vaniſh, ... METEOROLOGY.
      - Conſequences from the Qualities of Bodies *Permanent*.
        - Conſequences from the Qualities of the *Stars*.
          - Conſequences from the *Light* of the Stars. Out of this, and the Motion of the Sun, is made the Science of . . . . SCIOGRAPHY.
          - Conſequences from the *Influence* of the Stars, ... ASTROLOGY.
        - Conſequences of the Qualities from *Liquid* Bodies that fill the Space between the Stars; ſuch as are the *Air*, or Subſtance Ætherial. PNEUMATICS.
        - Conſequences from the Qualities of Bodies *Terreſtrial*.
          - Conſequences from the Parts of the Earth, that are *without Senſe*,
            - Conſequences from the Qualities of *Minerals*, as *Stones*, *Metals*, &c. MINERALOGY.
            - Conſequences from the Qualities of *Vegetables*. PHYTOLOGY.
          - Conſequences from the Qualities of *Animals*.
            - Conſequences from the Qualities of *Animals in general*
              - Conſequences from *Viſion*, . . . OPTIC.
              - Conſequences from *Sounds*, . . . MUSIC.
              - Conſequences from the reſt of the *Senſes*.
            - Conſequences from the Qualities of *Men in Special*,
              - Conſequences from the *Paſſions* of Men, ... ETHICS.
              - Conſequences from *Speech*.
                - In *Magnifying*, *Vilifying*, &c. POETRY.
                - In *Perſuading*. RHETORIC.
                - In *Reaſoning*. LOGIC.
                - In *Contracting*. The *Science* of Juſt and Unjuſt.
  - Conſequences from the Accidents of *Politic* Bodies; which is called POLITICS, and CIVIL PHILOSOPHY.
    - 1. Of Conſequences from the *Inſtitution* of COMMONWEALTHS, to the *Rights* and *Duties* of the *Body Politic*, or *Sovereign*.
    - 2. Of Conſequences from the ſame, to the *Duty*, and *Right* of the *Subjects*.

CHAP. X.

Of Power, Worth, Dignity, Honour, and Worthineſs.

Power.

THE *Power of a Man*, (to take it univerſally) is his preſent Means to obtain ſome future apparent Good. And is either *original* or *inſtrumental*.

Natural Power, is the Eminence of the Faculties of Body or Mind; as extraordinary Strength, Form, Prudence, Arts, Eloquence, Liberality, Nobility. *Inſtrumental* are thoſe Powers, which acquired by theſe, or by Fortune, are Means and Inſtruments to acquire more: as Riches, Reputation, Friends, and the ſecret Working of God, which Men call Good Luck. For the Nature of Power is in this Point like to Fame, increaſing as it proceeds; or like the Motion of heavy Bodies, which the farther they go, make ſtill the more haſte.

The greateſt of human Powers, is that which is compounded of the Powers of moſt Men, united by Conſent, in one Perſon, Natural or Civil, that has the Uſe of all their Powers depending on his Will; ſuch as is the Power of a Commonwealth: Or, depending on the Wills of each Particular; ſuch as is the Power of a Faction, or of divers Factions leagued. Therefore to have Servants, is Power; to have Friends, is Power: for they are Strengths united.

Alſo Riches joined with Liberality, is Power; becauſe it procureth Friends and Servants: Without Liberality, not ſo; becauſe in this Caſe they defend not; but expoſe Men to Envy, as a Prey.

Reputation of Power, is Power; becauſe it draweth with it the Adherence of thoſe that need Protection.

So is the Reputation of Love of a Man's Country, (called Popularity) for the ſame Reaſon.

Alſo, what Quality ſoever maketh a Man beloved, or feared of many; or the Reputation of ſuch Quality, is Power; becauſe it is a Means to have the Aſſiſtance and Service of many.

Good Succeſs is Power; becauſe it maketh Reputation of Wiſdom, or good Fortune; which makes Men either fear him, or rely on him.

Affability of Men already in Power, is Increaſe of Power; becauſe it gaineth Love.

Reputation of Prudence in the Conduct of Peace or War, is Power; becauſe to prudent Men we commit the Government of ourſelves, more willingly than to others.

Nobility is Power, not in all Places, but only in thoſe Commonwealths where it has Privileges: for in ſuch Privileges conſiſteth their Power.

Eloquence is Power; becauſe it is ſeeming Prudence.

Form is Power; becauſe being a Promiſe of Good, it recommendeth Men to the Favour of Women and Strangers.

The Sciences are ſmall Power, becauſe not eminent; and therefore, not acknowledged in any Man; nor are at all, but in few; and in them, but of a few Things. For Science is of that Nature, as none can underſtand it to be, but ſuch as in a good meaſure have attained it.

Arts of public Uſe, as Fortification, making of Engines, and other Inſtruments of War, becauſe they confer to Defence and Victory, are Power: And though the true Mother of them be Science, namely, the Mathematics; yet, becauſe they are brought into the Light by the

Hand of the Artificer, they be eſteemed (the Midwife paſſing with the Vulgar for the Mother) as his Iſſue.

Worth.

The *Value* or *Worth* of a Man, is as of all other Things, his Price; that is to ſay, ſo much as would be given for the Uſe of his Power: and therefore it is not abſolute, but a Thing dependent on the Need and Judgment of another. An able Conductor of Soldiers, is of great Price in Time of War preſent, or imminent; but in Peace not ſo. A learned and uncorrupt Judge, is much worth in Time of Peace; but not ſo much in War. And as in other Things, ſo in Men, not the Seller, but the Buyer determines the Price. For let a Man (as moſt Men do) rate themſelves at the higheſt Value they can, yet their true Value is no more than it is eſteemed by others.

The Manifeſtation of the Value we ſet on one another, is that which is commonly called Honouring and Diſhonouring. To value a Man at a high Rate, is to *honour* him; at a low Rate, is to *diſhonour* him. But high and low, in this Caſe, is to be underſtood by Compariſon to the Rate that each Man ſetteth on himſelf.

Dignity.

The public Worth of a Man, which is the Value ſet on him by the Commonwealth, is that which Men commonly call *Dignity*. And this Value of him by the Commonwealth, is underſtood by the Offices of Command, Judicature, public Employment; or by Names and Titles, introduced for Diſtinction of ſuch Value.

To honour and diſhonour.

To pray to another for Aid of any kind, is *to honour*; becauſe a Sign we have an Opinion he has Power to help; and the more difficult the Aid is, the more is the Honour.

To obey, is to honour; becauſe no Man obeys them whom they think have no Power to help, or hurt them. And conſequently to diſobey, is to *diſhonour*.

To give great Gifts to a Man, is to honour him; becauſe 'tis buying of Protection, and acknowledging of Power. To give little Gifts, is to diſhonour; becauſe it is but Alms, and ſignifies an Opinion of the Need of ſmall Helps.

To be ſedulous in promoting another's Good; alſo to flatter, is to honour; as a Sign we ſeek his Protection or Aid. To neglect, is to diſhonour.

To give way or place to another, in any Commodity, is to honour; being a Confeſſion of great Power. To arrogate, is to diſhonour.

To ſhew any Sign of Love, or Fear of another, is to honour; for both to love and to fear is to value. To contemn, or leſs to love or fear than he expects, is to diſhonour; for it is undervaluing.

To praiſe, magnify, or call happy, is to honour; becauſe nothing but Goodneſs, Power, and Felicity is valued. To revile, mock, or pity, is to diſhonour.

To ſpeak to another with Conſideration, to appear before him with Decency and Humility, is to honour him; as Signs of Fear to offend. To ſpeak to him raſhly, to do any thing before him obſcenely, ſlovenly, impudently, is to diſhonour.

To believe, to truſt, to rely on another, is to honour him; Sign of Opinion of his Virtue and Power. To diſtruſt, or not believe, is to diſhonour.

To hearken to a Man's Counſel, or Diſcourſe of what kind ſoever, is to honour; as a Sign we think him wiſe, or eloquent, or witty. To ſleep, or go forth, or talk the while, is to diſhonour.

To do thoſe Things to another, which he takes for Signs of Honour, or which the Law or Cuſtom makes ſo, is to honour; becauſe in approving the Honour done by others, he acknowledgeth the

Power which others acknowledge. To refuſe to do them, is Diſhonour.

To agree with in Opinion, is to honour; as being a Sign of approving his Judgment and Wiſdom. To diſſent, is Diſhonour, and an upbraiding of Error; and (if the Diſſent be in many Things) of Folly.

To imitate, is to honour; for it is vehemently to approve. To imitate one's Enemy, is to diſhonour.

To honour thoſe another honours, is to honour him as a Sign of Approbation of his Judgment. To honour his Enemies, is to diſhonour him.

To employ in Counſel, or in Actions of Difficulty, is to honour; as a Sign of Opinion of his Wiſdom or other Power. To deny Employment in the ſame Caſes to thoſe that ſeek it, is to diſhonour.

All theſe Ways of Honouring are natural; and as well within as without Commonwealths. But in Commonwealths, where he or they that have the ſupreme Authority, can make whatſoever they pleaſe to ſtand for Signs of Honour, there be other Honours.

A Sovereign doth honour a Subject, with whatſoever Title, or Office, or Employment, or Action, that he himſelf will have taken for a Sign of his Will to honour him.

The King of *Perſia* honoured *Mordecai*, when he appointed he ſhould be conducted through the Streets in the King's Garment, upon one of the King's Horſes, with a Crown on his Head, and a Prince before him, proclaiming, *Thus ſhall it be done to him that the King will honour*. And yet another King of *Perſia*, or the ſame another Time, to one that demanded for ſome great Service to wear one of the King's Robes, gave him Leave ſo to do, but with this Addition, that he ſhould wear it as the King's Fool; and then it was Diſhonour. So that of Civil Honour, the Fountain is in the Perſon of the Commonwealth, and dependeth on the Will of the Sovereign, and is therefore temporary, and called *Civil Honour*; ſuch as Magiſtracy, Offices, Titles, and in ſome Places Coats and Eſcutcheons painted; and Men honour ſuch as have them, as having ſo many Signs of Favour in the Commonwealth; which Favour is Power.

Honourable.

Honourable is whatſoever Poſſeſſion, Action, or Quality, is an Argument and Sign of Power.

And therefore, to be honoured, loved, or feared of many, is honourable; as Arguments of Power. To be honoured of few or none, *diſhonourable*.

Diſhonourable.

Dominion and Victory is honourable; becauſe acquired by Power; and Servitude, for Need or Fear, is diſhonourable.

Good Fortune, (if laſting) is honourable; as a Sign of the Favour of God. Ill Fortune and Loſſes diſhonourable. Riches are honourable; for they are Power. Poverty, diſhonourable. Magnanimity, Liberality, Hope, Courage, Confidence, are honourable; for they proceed from the Conſcience of Power. Puſillanimity, Parſimony, Fear, Diffidence, are diſhonourable.

Timely Reſolution or Determination of what a Man is to do, is honourable; as being the Contempt of ſmall Difficulties and Dangers. And Irreſolution, diſhonourable; as a Sign of too much valuing of little Impediments and little Advantages: For when a Man has weighed Things as long as the Time permits, and reſolves not, the Difference of Weight is but little; and therefore if he reſolve not, he overvalues little Things, which is Puſillanimity.

All Actions or Speeches that proceed, or ſeem to proceed from much Experience, Science, Diſcretion, or Wit, are honourable; for all theſe are Powers. Actions, or Words that proceed from Error, Ignorance, or Folly, diſhonourable.

Gravity, as far forth as it ſeems to proceed from a Mind employed on ſomething elſe, is honourable; becauſe Employment is a Sign of Power. But if it ſeem to proceed from a Purpoſe to appear grave, it is diſhonourable. For the Gravity of the former, is like the Steadineſs of a Ship laden with Merchandiſe; but of the latter, like the Steadineſs of a Ship ballaſted with Sand, and other Traſh.

To be conſpicuous, that is to ſay, to be known, for Wealth, Office, great Actions, or any eminent Good, is honourable; as a Sign of the Power for which he is conſpicuous. On the contrary, Obſcurity is diſhonourable.

To be deſcended from conſpicuous Parents, is honourable; becauſe they the more eaſily attain the Aids and Friends of their Anceſtors. On the contrary, to be deſcended from obſcure Parentage, is diſhonourable.

Actions proceeding from Equity, joined with Loſs, are honourable; as Signs of Magnanimity: for Magnanimity is a Sign of Power. On the contrary, Craft, Shifting, Neglect of Equity, is diſhonourable.

Covetouſneſs of great Riches, and Ambition of great Honours, are honourable; as Signs of Power to obtain them. Covetouſneſs, and Ambition, of little Gains, or Preferments, is diſhonourable.

Nor does it alter the Caſe of Honour, whether an Action (ſo it be great and difficult, and conſequently a Sign of much Power) be juſt or unjuſt: for Honour conſiſteth only in the Opinion of Power. Therefore the ancient Heathen did not think they diſhonoured, but greatly honoured the Gods, when they introduced them in their Poems, committing Rapes, Thefts, and other great, but unjuſt, or unclean Acts: Inſomuch as nothing is ſo much celebrated in *Jupiter*, as his Adulteries; nor in *Mercury*, as his Frauds, and Thefts: of whoſe Praiſes, in a Hymn of *Homer*, the greateſt is this, that being born in the Morning, he had invented Muſic at Noon, and before Night, ſtole away the Cattle of *Apollo*, from his Herdſmen.

Alſo amongſt Men, till there were conſtituted great Commonwealths, it was thought no Diſhonour to be a Pirate, or a Highway Thief; but rather a lawful Trade, not only amongſt the *Greeks*, but alſo amongſt all other Nations; as is manifeſt by the Hiſtories of ancient Time. And at this Day, in this Part of the World, private Duels are, and always will be honourable, though unlawful, till ſuch Time as there ſhall be Honour ordained for them that refuſe, and Ignominy for them that make the Challenge. For Duels alſo are many Times Effects of Courage; and the Ground of Courage is always Strength or Skill, which are Power; though for the moſt Part they be the Effects of raſh Speaking, and of the Fear of Diſhonour, in one, or both the Combatants; who engaged by Raſhneſs, are driven into the Liſts to avoid Diſgrace.

Coats of Arms.

Eſcutcheons, and Coats of Arms hereditary, where they have any eminent Privileges, are honourable; otherwiſe not: for their Power conſiſteth either in ſuch Privileges, or in Riches, or ſome ſuch Thing as is equally honoured in other Men. This Kind of Honour, commonly called Gentry, has been derived from the antient *Germans*. For there was never any ſuch Thing known, where the *German* Cuſtoms were unknown. Nor is it now any where in uſe, where the *Germans* have not inhabited. The antient *Greek* Commanders, when they went to War, had their Shields painted with ſuch Devices as they pleaſed; inſomuch as an unpainted Buckler was a Sign of Poverty, and of a common Soldier: but they tranſmitted not the Inheritance of them. The *Romans* tranſmitted the Marks of their Families: but they were the Images, not the Devices of their Anceſtors. Amongſt the People of *Aſia*, *Africa*, and *America*, there is not, nor was ever any ſuch Thing. The *Germans* only had that Cuſtom; from whom it has been derived into *England*, *France*, *Spain* and *Italy*, when in great Numbers they either aided the *Romans*, or made their own Conqueſts in the Weſtern Parts of the World.

For *Germany*, being antiently, as all other Countries in their Beginnings, divided amongſt an infinite Number of little Lords, or Maſters of Families, that continually had Wars one with another; thoſe Maſters or Lords, principally to the End they might, when they were covered with Arms, be known by their Followers, and partly for Ornament, both painted their Armour, or their Scutcheon, or Coat, with the Picture of ſome Beaſt, or other Thing; and alſo put ſome eminent and viſible Mark upon the Creſt of their Helmets. And this Ornament, both of the Arms and Creſt, deſcended by Inheritance to their Children; to the eldeſt pure, and to the reſt with ſome Note of Diverſity, ſuch as the old Maſter, that is to ſay in *Dutch*, the *Here-alt* thought fit. But when many ſuch Families, joined together, made a greater Monarchy, this Duty of the Here-alt, to diſtinguiſh Scutcheons, was made a private Office apart. And the Iſſue of theſe Lords, is the great and antient Gentry; which for the moſt part bear living Creatures, noted for Courage and Rapine; or Caſtles, Battlements, Belts, Weapons, Bars, Paliſadoes, and other Notes of War; nothing being then in Honour, but Virtue Military. Afterwards, not only Kings, but popular Commonwealths, gave divers Manners of Scutcheons to ſuch as went forth to the War, or returned from it, for Encouragement, or Recompence to their Service. All which, by an obſerving Reader, may be found in ſuch antient Hiſtories, *Greek* and *Latin*, as make mention of the *German* Nation, and Manners, in their Times.

Titles of Honour.

Titles of *Honour*, ſuch as are Duke, Count, Marquis, and Baron, are honourable; as ſignifying the Value ſet upon them by the Sovereign Power of the Commonwealth: which Titles were in old Time Titles of Office and Command, derived ſome from the *Romans*, ſome from the *Germans*, and *French*. Dukes, in *Latin Duces*, being Generals in War: Counts, *Comites*, ſuch as bare the General Company out of Friendſhip; and were left to govern and defend Places conquered, and pacified: Marquiſes, *Marchiones*, were Counts that governed the Marches, or Bounds of the Empire. Which Titles of Duke, Count and Marquis, came into the Empire about the Time of *Conſtantine* the Great, from the Cuſtoms of the *German Militia*. But Baron ſeems to have been a Title of the *Gauls*, and ſignifies a Great Man; ſuch as were the Kings or Princes Men, whom they employed in War about their Perſons; and ſeems to be derived from *Vir*, to *Ber*, and *Bar*, that ſignified the ſame in the Language of the *Gauls*, that *Vir* in *Latin*; and thence to *Bero*, and *Baro*: ſo that ſuch Men were called *Berones*, and after *Barones*; and (in *Spaniſh*) *Varones*. But he that would know more particularly the Original of Titles of Honour, may find it, as I have done this, in Mr. *Selden*'s moſt excellent Treatiſe of that Subject. In Proceſs of Time theſe Offices of Honour, by Occaſion of Trouble, and for Reaſons of good and peaceable Government, were turned into mere Titles; ſerving for the moſt Part, to diſtinguiſh the Precedence, Place, and Order of Subjects in the Commonwealth: and Men were made Dukes, Counts, Marquiſes, and Barons of Places, wherein they had neither Poſſeſſion, nor Command: and other Titles alſo were deviſed to the ſame End.

Worthineſs.
Fitneſs.

Worthineſs is a Thing different from the Worth, or Value of a Man; and alſo from his Merit or Deſert; and conſiſteth in a particular Power or Ability for that, whereof he is ſaid to be worthy: which particular Ability is uſually named *Fitneſs* or *Aptitude*.

For he is worthieſt to be a Commander, to be a Judge, or to have any other Charge, that is beſt fitted, with the Qualities required to the well diſcharging of it; and worthieſt of Riches, that has the Qualities moſt requiſite for the well-uſing of them: any of which Qualities being abſent, one may nevertheleſs be a worthy Man, and valuable for ſomething elſe. Again, a Man may be worthy of Riches, Office, and Employment, that nevertheleſs can plead no Right to have it before another; and therefore cannot be ſaid to merit or deſerve it. For Merit preſuppoſeth a Right, and that the Thing deſerved is due by Promiſe: Of which I ſhall ſay more hereafter, when I ſhall ſpeak of Contracts.

CHAP. XI.

Of the Difference of MANNERS.

What is here meant by Manners.

BY *Manners*, I mean not here, Decency of Behaviour; as how one Man ſhould ſalute another, or how a Man ſhould waſh his Mouth, or pick his Teeth before Company, and ſuch other Points of the *ſmall Morals*; but thoſe Qualities of Mankind, that concern their living together in Peace and Unity. To which End we are to conſider, that the Felicity of this Life conſiſteth not in the Repoſe of a Mind ſatisfied. For there is no ſuch *Finis ultimus*, (utmoſt Aim) nor *Summum Bonum*, (greateſt Good) as is ſpoken of in the Books of the old Moral Philoſophers. Nor can a Man any more live, whoſe Deſires are at an End, than he, whoſe Senſes and Imaginations are at a ſtand. Felicity is a continual Progreſs of the Deſire, from one Object to another; the attaining of the former, being ſtill but the Way to the latter. The Cauſe whereof is, that the Object of Man's Deſire, is not to enjoy once only, and for one Inſtant of Time; but to aſſure for ever the Way of his future Deſire. And therefore the voluntary Actions and Inclinations of all Men, tend not only to the procuring, but alſo to the aſſuring of a contented Life; and differ only in the Way: which ariſeth partly from the Diverſity of Paſſions, in divers Men; and partly from the Difference of Knowledge, or Opinion each one has of the Cauſes, which produce the Effect deſired.

A reſtleſs Deſire of Power, in all Men.

So that in the firſt Place, I put for a general Inclination of all Mankind, a perpetual and reſtleſs Deſire of Power after Power, that ceaſeth only in Death. And the Cauſe of this, is not always that a Man hopes for a more intenſive Delight, than he has already attained to; or that he cannot be content with a moderate Power: but becauſe he cannot aſſure the Power and Means to live well, which he hath preſent, without the Acquiſition of more. And from hence it is, that Kings, whoſe Power is greateſt, turn their Endeavours to the aſſuring it at Home by Laws, or abroad by Wars: and when that is done, there ſucceedeth a new Deſire; in ſome, of Fame from new Conqueſt; in others, of Eaſe and ſenſual Pleaſure; in others, of Admiration, or being flattered for Excellence in ſome Art, or other Ability of the Mind.

Love of Contention from Competition.

Competition of Riches, Honour, Command, or other Power, inclineth to Contention, Enmity, and War: Becauſe the Way of one Competitor, to the attaining of his Deſire, is to kill, ſubdue, ſupplant, or repell the other. Particularly, Competition of Praiſe, inclineth to a Reverence of

Antiquity. For Men contend with the Living, not with the Dead; to theſe aſcribing more than due, that they may obſcure the Glory of the other.

Civil Obedience from Love of Eaſe.

From Fear of Death, or Wounds.

Deſire of Eaſe and ſenſual Delight, diſpoſeth Men to obey a common Power: Becauſe by ſuch Degrees, a Man doth abandon the Protection which might be hoped for from his own Induſtry and Labour. Fear of Death and Wounds diſpoſeth to the ſame, and for the ſame Reaſon. On the contrary, needy Men, and hardy, not contented with their preſent Condition; as alſo, all Men that are ambitious of military Command, are inclined to continue the Cauſes of War; and to ſtir up Trouble and Sedition: for there is no Honour military but by War; nor any ſuch Hope to mend an ill Game, as by cauſing a new Shuffle.

And from Love of Arts.

Deſire of Knowledge and Arts of Peace, inclineth Men to obey a common Power: For ſuch Deſire containeth a Deſire of Leiſure; and conſequently Protection from ſome other Power than their own.

Love of Virtue, from Love of Praiſe.

Deſire of Praiſe diſpoſeth to laudable Actions, ſuch as pleaſe them whoſe Judgment they value; for of thoſe Men whom we contemn, we contemn alſo the Praiſes. Deſire of Fame after Death does the ſame. And though after Death there be no Senſe of the Praiſe given us on Earth, as being Joys, that are either ſwallowed up in the unſpeakable Joys of Heaven, or extinguiſhed in the extreme Torments of Hell: yet is not ſuch Fame vain, becauſe Men have a preſent Delight therein, from the Foreſight of it, and of the Benefit that may redound thereby to their Poſterity: which though they now ſee not, yet they imagine; and any thing that is Pleaſure in the Senſe, the ſame alſo is Pleaſure in the Imagination.

Hate, from Difficulty of requiting great Benefits.

To have received from one to whom we think ourſelves equal, greater Benefits than there is Hope to requite, diſpoſeth to counterfeit Love, but really to ſecret Hatred; and puts a Man into the Eſtate of a deſperate Debtor, that in declining the Sight of his Creditor, tacitly wiſhes him there, where he might never ſee him more. For Benefits oblige; and Obligation is Thraldom; and unrequitable Obligation, perpetual Thraldom; which is to one's Equal, hateful. But to have received Benefits from one, whom we acknowledge for Superior, inclines to Love; becauſe the Obligation is no new Depreſſion: and cheerful Acceptation, (which Men call *Gratitude*) is ſuch an Honour done to the Obliger, as is taken generally for Retribution. Alſo to receive Benefits, though from an Equal, or Inferior, as long as there is Hope of Requital, diſpoſeth to Love: for in the Intention of the Receiver, the Obligation is of Aid and Service mutual; from whence proceedeth an Emulation of who ſhall exceed in benefiting; the moſt noble and profitable Contention poſſible; wherein the Victor is pleaſed with his Victory, and the other revenged by confeſſing it.

And from Conſcience deſerving to be hated.

To have done more Hurt to a Man, than he can or is willing to expiate, inclineth the Doer to hate the Sufferer. For he muſt expect Revenge or Forgiveneſs, both which are hateful.

Promptneſs to hurt, from Fear.

Fear of Oppreſſion, diſpoſeth a Man to anticipate, or to ſeek Aid by Society: for there is no other Way by which a Man can ſecure his Life and Liberty.

And from Diſtruſt of their own Wit.

Men that diſtruſt their own Subtlety, are in Tumult and Sedition better diſpoſed for Victory, than they that ſuppoſe themſelves wiſe, or crafty. For theſe love to conſult, the other (fearing to be circumvented) to ſtrike firſt. And in Sedition, Men being always in the Precincts of Battle; to hold together, and uſe all Advantages of Force, is a better Stratagem, than any that can proceed from Subtlety of Wit.

Vain-glorious Men, ſuch as without being conſcious to themſelves of great Sufficiency, delight in ſuppoſing themſelves gallant Men, are inclined only to Oſtentation; but not to attempt: Becauſe when Danger or Difficulty appears, they look for nothing but to have their Inſufficiency diſcovered.

Vain Undertaking from Vain-glory.

Vain-glorious Men, ſuch as eſtimate their Sufficiency by the Flattery of other Men, or the Fortune of ſome precedent Action, without aſſured Ground of Hope from the true Knowledge of themſelves, are inclined to raſh engaging, and in the Approach of Danger or Difficulty, to retire if they can: becauſe not ſeeing the Way of Safety, they will rather hazard their Honour, which may be ſalved with an Excuſe, than their Lives, for which no Salve is ſufficient.

Ambition, from Opinion of Sufficiency.

Men that have a ſtrong Opinion of their own Wiſdom in Matter of Government, are diſpoſed to Ambition. Becauſe without public Employment in Counſel or Magiſtracy, the Honour of their Wiſdom is loſt. And therefore eloquent Speakers are inclined to Ambition; for Eloquence ſeemeth Wiſdom, both to themſelves and others.

Irreſolution, from too great valuing of ſmall Matters.

Puſillanimity diſpoſeth Men to Irreſolution, and conſequently to loſe the Occaſions and fitteſt Opportunities of Action. For after Men have been in Deliberation till the Time of Action approach, if it be not then manifeſt what is beſt to be done, 'tis a Sign the Difference of Motives, the one Way and the other, is not great: Therefore not to reſolve then, is to loſe the Occaſion by weighing of Trifles; which is Puſillanimity.

Frugality (though in poor Men a Virtue) maketh a Man unapt to atchieve ſuch Actions, as require the Strength of many Men at once: For it weakeneth their Endeavour, which is to be nouriſhed and kept in Vigour by Reward.

Confidence in others from Ignorance of the Marks of Wiſdom and Kindneſs.

Eloquence, with Flattery, diſpoſeth Men to confide in them that have it; becauſe the former is ſeeming Wiſdom, the latter ſeeming Kindneſs. Add to them military Reputation, and it diſpoſeth Men to adhere and ſubject themſelves to thoſe Men that have them. The two former, having given them Caution againſt Danger from him; the latter gives them Caution againſt Danger from others.

And from Ignorance of natural Cauſes.

Want of Science, that is, Ignorance of Cauſes, diſpoſeth, or rather conſtraineth a Man to rely on the Advice and Authority of others. For all Men whom the Truth concerns, if they rely not on their own, muſt rely on the Opinion of ſome other, whom they think wiſer than themſelves, and ſee not why he ſhould deceive them.

And from Want of Underſtanding.

Ignorance of the Signification of Words, which is Want of Underſtanding, diſpoſeth Men to take on Truſt, not only the Truth they know not, but alſo Errors; and which is more, the Nonſenſe of them they truſt: For neither Error nor Nonſenſe can, without a perfect underſtanding of Words, be detected.

From the ſame it proceedeth, that Men give different Names to one and the ſame Thing, from the Difference of their own Paſſions: As they that approve a private Opinion, call it Opinion; but they that miſlike it, Hereſy: and yet Hereſy ſignifies no more than private Opinion; but has only a greater Tincture of Choler.

From the ſame alſo it proceedeth, that Men cannot diſtinguiſh without Study and great Underſtanding, between one Action of many Men, and many Actions of one Multitude; as for Example, between the one Action of all the Senators of *Rome* in killing *Catiline*, and the many Actions of a Number of Senators in killing *Cæſar*; and therefore are diſpoſed to take for the Action of the People, that which is a Multitude of Actions done by a Multitude of Men, led perhaps by the Perſuaſion of one.

Adherence to Cuſtom, from Ignorance of the Nature of Right and Wrong.

Ignorance of the Cauſes and original Conſtitution of Right, Equity, Law, and Juſtice, diſpoſeth a Man to make Cuſtom and Example the Rule of his Actions; in ſuch Manner, as to think that Unjuſt which it hath been the Cuſtom to puniſh; and that Juſt, of the Impunity and Approbation whereof they can produce an Example, or (as the Lawyers which only uſe this falſe Meaſure of Juſtice barbarouſly call it) a Precedent; like little Children, that have no other Rule of good and evil Manners, but the Correction they receive from their Parents, and Maters; ſave that Children are conſtant to their Rule, whereas Men are not ſo; becauſe grown ſtrong and ſtubborn, they appeal from Cuſtom to Reaſon, and from Reaſon to Cuſtom, as it ſerves their Turn; receding from Cuſtom when their Intereſt requires it, and ſetting themſelves againſt Reaſon, as oft as Reaſon is againſt them: Which is the Cauſe that the Doctrine of Right and Wrong is perpetually diſputed both by the Pen and the Sword: Whereas the Doctrine of Lines and Figures is not ſo; becauſe Men care not, in that Subject what is Truth, as it is a Thing that croſſes no Man's Ambition, Profit, or Luſt. For I doubt not, but if it had been a Thing contrary to any Man's Right of Dominion, or to the Intereſt of Men that have Dominion, *That the three Angles of a Triangle ſhould be equal to two Angles of a Square*; that Doctrine ſhould have been, if not diſputed, yet by the burning of all Books of Geometry, ſuppreſſed, as far as he whom it concerned was able.

Adherence to private Men, from Ignorance of the Cauſes of Peace.

Ignorance of remote Cauſes, diſpoſeth Men to attribute all Events to the Cauſes immediate and inſtrumental; for theſe are all the Cauſes they perceive. And hence it comes to paſs, that in all Places Men that are grieved with Payments to the Public, diſcharge their Anger upon the Publicans; that is to ſay, Farmers, Collectors, and other Officers of the Public Revenue; and adhere to ſuch as find Fault with the public Government; and thereby, when they have engaged themſelves beyond Hope of Juſtification, fall alſo upon the Supreme Authority, for Fear of Puniſhment, or Shame of receiving Pardon.

Credulity from Ignorance of Nature.

Ignorance of natural Cauſes diſpoſeth a Man to Credulity, ſo as to believe many times Impoſſibilities: For ſuch know nothing to the contrary, but that they may be true; being unable to detect the Impoſſibility. And Credulity, becauſe Men love to be hearkened to in Company, diſpoſeth them to Lying: So that Ignorance itſelf without Malice, is able to make a Man both to believe Lyes, and tell them; and ſometimes alſo to invent them.

Curioſity to know from Care of future Time.

Anxiety for the future Time, diſpoſeth Men to inquire into the Cauſes of Things; becauſe the Knowledge of them maketh Men the better able to order the preſent to their beſt Advantage.

Natural Religion from the ſame.

Curioſity, or Love of the Knowledge of Cauſes, draws a Man from Conſideration of the Effect to ſeek the Cauſe; and again, the Cauſe of that Cauſe; till of Neceſſity he muſt come to this Thought at laſt; that there is ſome Cauſe, whereof there is no former Cauſe, but is eternal; which is it Men call God. So that it is impoſſible to make any profound Inquiry into natural Cauſes, without being inclined thereby to believe there is one God Eternal; though they cannot have any Idea of him in their Mind anſwerable to his Nature. For as a Man that is born blind, hearing Men talk of warming themſelves by the Fire, and being brought to warm himſelf by the ſame, may eaſily conceive, and aſſure himſelf, there is ſomewhat there, which Men call *Fire*, and is the Cauſe of the Heat he feels, but cannot imagine what it is like, nor have an Idea of it in his Mind, ſuch as they have that ſee it: So alſo, by the viſible Things of this World, and their admirable Order, a Man may conceive

conceive there is a Cauſe of them, which Men call God, and yet not have an Idea or Image of him in his Mind.

And they that make little or no Inquiry into the natural Cauſes of Things, yet from the Fear that proceeds from the Ignorance itſelf, of what it is that hath the Power to do them much Good or Harm, are inclined to ſuppoſe and feign unto themſelves ſeveral Kinds of Powers inviſible, and to ſtand in Awe of their own Imaginations; and in Time of Diſtreſs to invoke them; as alſo in the Time of an unexpected good Succeſs, to give them Thanks; making the Creatures of their own Fancy their Gods. By which Means it hath come to paſs, that from the innumerable Variety of Fancies, Men have created in the World innumerable Sorts of Gods. And this Fear of Things inviſible, is the natural Seed of that which every one in himſelf calleth Religion; and in them that worſhip or fear that Power otherwiſe than they do, Superſtition.

And this Seed of Religion, having been obſerved by many, ſome of thoſe that have obſerved it, have been inclined thereby to nouriſh, dreſs, and form it into Laws, and to add to it of their own Invention, any Opinion of the Cauſes of future Events, by which they thought they ſhould beſt be able to govern others, and make unto themſelves the greateſt Uſe of their Powers.

CHAP. XII.

Of RELIGION.

SEEING there are no Signs, nor Fruit of *Religion*, but in Man only, there is no Cauſe to doubt, but that the Seed of *Religion* is alſo only in Man; and conſiſteth in ſome peculiar Quality, or at leaſt in ſome eminent Degree thereof, not to be found in other living Creatures.

Religion, in Man only.

And Firſt, it is peculiar to the Nature of Man to be inquiſitive into the Cauſes of the Events they ſee, ſome more, ſome leſs: but all Men ſo much, as to be curious in the Search of the Cauſes of their own good and evil Fortune.

Firſt, from his Deſire of knowing Cauſes.

Secondly, upon the Sight of any thing that hath a Beginning, to think alſo it had a Cauſe, which determined the ſame to begin, then when it did, rather than ſooner or later.

From the Conſideration of the Beginning of Things.

Thirdly, whereas there is no other Felicity of Beaſts, but the enjoying of their quotidian Food, Eaſe, and Luſts; as having little or no Foreſight of the Time to come, for want of Obſervation, and Memory of the Order, Conſequence, and Dependance of the Things they ſee; Man obſerveth how one Event hath been produced by another; and remembereth in them Antecedence and Conſequence; and when he cannot aſſure himſelf of the true Cauſes of Things (for the Cauſes of good and evil Fortune for the moſt Part are inviſible) he ſuppoſes Cauſes of them, either ſuch as his own Fancy ſuggeſteth; or truſteth to the Authority of other Men, ſuch as he thinks to be his Friends, and wiſer than himſelf.

From his Obſervation of the Sequel of Things.

The two firſt make Anxiety. For being aſſured that there be Cauſes of all things that have arrived hitherto, or ſhall arrive hereafter; it is impoſſible for a Man, who continually endeavoureth to ſecure himſelf againſt the Evil he fears, and procure the Good he deſireth, not to be in a perpetual Solicitude of the Time to come; ſo that every Man, eſpecially

The natural Cauſe of Religion, the Anxiety of the Time to come.

cially thoſe that are over-provident, are in an Eſtate like unto that of *Prometheus*. For as *Prometheus* (which interpreted, is, *the prudent Man*) was bound to the Hill *Caucaſus*, a Place of large Proſpect, where, an Eagle feeding on his Liver, devoured in the Day as much as was repaired in the Night: So that Man, which looks too far before him, in the Care of future Time, hath his Heart all the Day long gnawed by the Fear of Death, Poverty, or other Calamity; and has no Repoſe, nor Pauſe of his Anxiety, but in Sleep.

Which makes them fear the Power of inviſible Things.

This perpetual Fear always accompanying Mankind in the Ignorance of Cauſes, as it were in the Dark, muſt needs have for Object ſomething. And therefore when there is nothing to be ſeen, there is nothing to accuſe, either of their good or evil Fortune, but ſome *Power* or Agent *inviſible*: In which Senſe perhaps it was, that ſome of the old Poets ſaid, that the Gods were at firſt created by human Fear: Which ſpoken of the Gods (that is to ſay, of the many Gods of the Gentiles) is very true. But the acknowledging of one God Eternal, Infinite, and Omnipotent, may more eaſily be derived from the Deſire Men have to know the Cauſes of natural Bodies, and their ſeveral Virtues and Operations, than from the Fear of what is to befal them in Time to come. For he that from any Effect he ſeeth come to paſs, ſhould reaſon to the next and immediate Cauſe thereof, and from thence to the Cauſe of that Cauſe, and plunge himſelf profoundly in the Purſuit of Cauſes, ſhall at laſt come to this; that there muſt be (as even the Heathen Philoſophers confeſſed) one Firſt Mover; that is, a Firſt, and an Eternal Cauſe of all things; which is that Men mean by the Name of God; and all this without Thought of their Fortune; the Solicitude whereof both inclines to Fear, and hinders them from the Search of the Cauſes of other Things; and thereby gives Occaſion of feigning of as many Gods as there be Men that feign them.

And ſuppoſe them incorporeal.

And for the Matter or Subſtance of the inviſible Agents, ſo fancied, they could not, by natural Cogitation, fall upon any other Conceit, but that it was the ſame with that of the Soul of Man; and that the Soul of Man was of the ſame Subſtance with that which appeareth in a Dream to one that ſleepeth; or in a Looking-glaſs, to one that is awake; which Men not knowing that ſuch Apparitions are nothing elſe but Creatures of the Fancy, think to be real and external Subſtances; and therefore call them Ghoſts, as the *Latins* called them *Imagines*, and *Umbræ*; and thought them Spirits, that is, thin aerial Bodies; and thoſe inviſible Agents, which they feared, to be like them, ſave that they appear and vaniſh when they pleaſe. But the Opinion that ſuch Spirits were incorporeal or immaterial, could never enter into the Mind of any Man by Nature; becauſe, though Men may put together Words of contradictory Signification, as *Spirit*, and *Incorporeal*; yet they can never have the Imagination of any thing anſwering to them: And therefore, Men that by their own Meditation arrive to the Acknowledgment of one Infinite, Omnipotent, and Eternal God, chuſe rather to confeſs he is Incomprehenſible, and above their Underſtanding, than to define his Nature by *Spirit Incorporeal*, and then confeſs their Definition to be unintelligible; or, if they give him ſuch a Title, it is not *dogmatically*, with Intention to make the Divine Nature underſtood, but *piouſly* to honour him with Attributes of Significations as remote as they can from the Groſsneſs of Bodies viſible.

But know not the Way how they effect any thing.

Then, for the Way by which they think theſe inviſible Agents wrought their Effects; that is to ſay, what immediate Cauſes they uſed in bringing Things to paſs, Men that know not what it is that we call *Cauſing* (that is, almoſt all Men) have no other Rule to gueſs by, but by obſerving, and remembering what they have ſeen to precede the like Effect at ſome other Time, or Times before, without ſeeing between the antecedent and ſubſequent Event, any Dependance or Connexion at all: And therefore from the like Things paſt, they expect the like Things to come; and hope for good or evil Luck, ſuperſtitiouſly, from Things that have no part at all in the cauſing of it: As the *Athenians* did for their War at *Lepanto*, demand another *Phormio*; the *Pompeian* Faction for their War in *Africa*, another *Scipio*; and others have done in divers other Occaſions ſince. In like Manner they attribute their Fortune to a Stander-by, to a lucky or unlucky Place, to Words ſpoken, eſpecially if the Name of God be amongſt them; as Charming, and Conjuring (the Liturgy of Witches;) inſomuch as to believe, they have Power to turn a Stone into Bread, Bread into a Man, or any Thing into any Thing.

But honour them as they honour Men.

Thirdly, for the Worſhip which naturally Men exhibit to Powers inviſible, it can be no other, but ſuch Expreſſions of their Reverence, as they would uſe towards Men; Gifts, Petitions, Thanks, Submiſſion of Body, conſiderate Addreſſes, ſober Behaviour, premeditated Words, Swearing (that is, aſſuring one another of their Promiſes,) by invoking them. Beyond that Reaſon ſuggeſteth nothing; but leaves them either to reſt there; or for further Ceremonies, to rely on thoſe they believe to be wiſer than themſelves.

And attribute to them all extraordinary Events.

Laſtly, concerning how theſe inviſible Powers declare to Men the Things which ſhall hereafter come to paſs, eſpecially concerning their good and evil Fortune in general, or good or ill Succeſs in any particular Undertaking, Men are naturally at a Stand; ſave that uſing to conjecture of the Time to come, by the Time paſt, they are very apt, not only to take caſual Things, after one or two Encounters, for Prognoſtics of the like Encounter ever after, but alſo to believe the like Prognoſtics from other Men, of whom they have once conceived a good Opinion.

Four Things natural Seeds of Religion.

And in theſe four Things, Opinion of Ghoſts, Ignorance of ſecond Cauſes, Devotion towards what Men fear, and taking of Things Caſual for Prognoſtics, conſiſteth the natural Seed of *Religion*; which by Reaſon of the different Fancies, Judgments, and Paſſions of ſeveral Men, hath grown up into Ceremonies ſo different, that thoſe which are uſed by one Man, are for the moſt part ridiculous to another.

Made different by Culture.

For theſe Seeds have received Culture from two Sorts of Men. One Sort have been they that have nouriſhed and ordered them, according to their own Invention. The other have done it by God's Commandment and Direction: but both Sorts have done it, with a Purpoſe to make thoſe Men that relied on them, the more apt to Obedience, Laws, Peace, Charity, and civil Society. So that the Religion of the former Sort, is a Part of human Politics; and teacheth Part of the Duty which earthly Kings require of their Subjects. And the Religion of the latter Sort is divine Politics; and containeth Precepts to thoſe that have yielded themſelves Subjects in the Kingdom of God. Of the former Sort, were all the Founders of Commonwealths, and the Law-givers of the *Gentiles*: Of the latter Sort, were *Abraham*, *Moſes*, and our *Bleſſed Saviour*; by whom have been derived unto us the Laws of the Kingdom of God.

The abſurd Opinion of Gentiliſm.

And for that Part of Religion, which conſiſteth in Opinions concerning the Nature of Powers inviſible, there is almoſt nothing that has a Name, that has not been eſteemed among the *Gentiles*, in one Place or another, a God, or Devil; or by their Poets feigned to be inanimated, inhabited, or poſſeſſed by ſome Spirit or other.

The unformed Matter of the World, was a God, by the Name of *Chaos*.

The Heaven, the Ocean, the Planets, the Fire, the Earth, the Winds, were ſo many Gods.

Men, Women, a Bird, a Crocodile, a Calf, a Dog, a Snake, an Onion, a Leek, were deified. Beſides, they filled almoſt all Places with Spirits called *Dæmons:* the Plains, with *Pan*, and *Paniſes*, or Satyrs; the Woods, with Fawns and Nymphs; the Sea, with Tritons, and other Nymphs; every River and Fountain, with a Ghoſt of his Name, and with Nymphs; every Houſe, with its *Lares*, or Familiars; every Man, with his *Genius*; Hell, with Ghoſts and ſpiritual Officers, as *Charon*, *Cerberus*, and the *Furies*; and in the Night-time, all Places with *Larvæ*, *Lemures*, Ghoſts of Men deceaſed, and a whole Kingdom of Fairies, and Bugbears. They have alſo aſcribed Divinity, and built Temples to mere Accidents, and Qualities; ſuch as are Time, Night, Day, Peace, Concord, Love, Contention, Virtue, Honour, Health, Ruſt, Fever, and the like; which when they prayed for, or againſt, they prayed to, as if there were Ghoſts of thoſe Names hanging over their Heads, and letting fall, or with-holding that Good, or Evil, for, or againſt which they prayed. They invoked alſo their own Wit, by the Name of *Muſes*; their own Ignorance, by the Name of *Fortune*; their own Luſt, by the Name of *Cupid*; their own Rage, by the Name of *Furies*; their own Privy Members, by the Name of *Priapus*; and attributed their Pollutions, to *Incubi*, and *Succubæ*: inaſmuch as there was nothing which a Poet could introduce as a Perſon in his Poem, which they did not make either a *God*, or a *Devil*.

The ſame Authors of the Religion of the *Gentiles*, obſerving the ſecond Ground for Religion, which is Men's Ignorance of Cauſes; and thereby their Aptneſs to attribute their Fortune to Cauſes, on which there was no Dependance at all apparent, took Occaſion to obtrude on their Ignorance, inſtead of ſecond Cauſes, a Kind of ſecond and miniſterial Gods; aſcribing the Cauſe of Fœcundity, to *Venus*; the Cauſe of Arts, to *Apollo*; of Subtilty and Craft, to *Mercury*; of Tempeſts and Storms, to *Æolus*; and of other Effects, to other Gods: inſomuch as there was amongſt the Heathen almoſt as great Variety of Gods, as of Buſineſs.

And to the Worſhip, which naturally Men conceived fit to be uſed towards their Gods, namely Oblations, Prayers, Thanks, and the reſt formerly named; the ſame Legiſlators of the *Gentiles* have added their Images both in Picture, and Sculpture; that the more ignorant Sort, (that is to ſay, the moſt Part, or Generality of the People) thinking the Gods, for whoſe Repreſentation they were made, were really included, and as it were houſed within them, might ſo much the more ſtand in Fear of them: and endowed them with Lands, and Houſes, and Officers, and Revenues, ſet apart from all other human Uſes; that is, conſecrated, and made holy to thoſe their Idols; as Caverns, Groves, Woods, Mountains, and whole Iſlands; and have attributed to them, not only the Shapes, ſome of Men, ſome of Monſters, but alſo the Faculties and Paſſions of Men and Beaſts; as Senſe, Speech, Sex, Luſt, Generation, (and this not only by mixing one with another, to propagate the Kind of Gods; but alſo by mixing with Men and Women, to beget Mungril Gods, and but Inmates of Heaven, as *Bacchus*, *Hercules*, and others;) beſides, Anger, Revenge, and other Paſſions of living Creatures, and the Actions proceeding from them, as Fraud, Theft, Adultery, Sodomy, and any Vice that may be taken for an Effect of Power, or a Cauſe of Pleaſure; and all ſuch Vices as amongſt Men are taken to be againſt Law, rather than againſt Honour.

Laſtly, to the Prognoſtics of Time to come; which are naturally, but Conjectures upon the Experience of time paſt; and ſupernaturally, divine Revelation; the ſame Authors of the Religion of the *Gentiles*, partly upon pretended Experience, partly upon pretended Revelation, have added innumerable other ſuperſtitious Ways of Divination; and made Men believe they ſhould find their Fortunes, ſometimes in the ambiguous or ſenſeleſs Anſwers of the Prieſts at *Delphi*, *Delos*, *Ammon*, and other famous Oracles; which were made ambiguous by Deſign, to own the Event both Ways; or abſurd, by the intoxicating Vapour of the Place, which is very frequent in ſulphurous Caverns: Sometimes in the Leaves of the *Sibyls*; of whoſe Prophecies (like thoſe perhaps of *Noſtradamus*, for the Fragments now extant ſeem to be the Invention of later Times) there were ſome Books in Reputation in the Time of the *Roman* Republic: Sometimes in the inſignificant Speeches of Madmen, ſuppoſed to be poſſeſſed with a divine Spirit, which Poſſeſſion they called Enthuſiaſm; and theſe Kinds of foretelling Events, were accounted Theomancy, or Prophecy: Sometimes in the Aſpect of the Stars at their Nativity; which was called Horoſcopy, and eſteemed a Part of judicial Aſtrology: Sometimes in their own Hopes and Fears, called Thumomancy, or Preſage: Sometimes in the Prediction of Witches, that pretended Conference with the Dead; which is called Necromancy, Conjuring, and Witchcraft; and is but juggling and confederate Knavery: Sometimes in the caſual Flight, or feeding of Birds; called Augury: Sometimes in the Entrails of a ſacrificed Beaſt; which was Aruſpicy: Somes in Dreams: Sometimes in croaking of Ravens, or chattering of Birds: Sometimes in the Lineaments of the Face; which was called Metopoſcopy; or by Palmiſtry in the Lines of the Hand; in caſual Words, called *Omina*: Sometimes in Monſters, or unuſual Accidents; as Eclipſes, Comets, rare Meteors, Earthquakes, Inundations, uncouth Births, and the like, which they called *Portenta*, and *Oſtenta*, becauſe they thought them to portend, or foreſhew ſome great Calamity to come: Sometimes in mere Lottery, as Croſs and Pile; counting Holes in a Sieve; dipping of Verſes in *Homer* and *Virgil*; and innumerable other ſuch vain Conceits. So eaſy are Men to be drawn to believe any Thing, from ſuch Men as have gotten Credit with them; and can with Gentleneſs, and Dexterity, take hold of their Fear and Ignorance.

The Deſigns of the Authors of the Religion of the Heathen.

And therefore the firſt Founders and Legiſlators of Commonwealths amongſt the *Gentiles*, whoſe Ends were only to keep the People in Obedience, and Peace, have in all Places taken Care; firſt, to imprint in their Minds a Belief, that thoſe Precepts which they gave concerning Religion, might not be thought to proceed from their own Device, but from the Dictates of ſome God, or other Spirit; or elſe that they themſelves were of a higher Nature than mere Mortals, that their Laws might the more eaſily be received: So *Numa Pompilius* pretended to receive the Ceremonies he inſtituted amongſt the *Romans*, from the Nymph *Egeria*: and the firſt King and Founder of the Kingdom of *Peru*, pretended himſelf and his Wife to be the Children of the Sun: and *Mahomet*, to ſet up his new Religion, pretended to have Conferences with the Holy Ghoſt, in the Form of a Dove. Secondly, they have had a Care to make it believed, that the ſame Things were diſpleaſing to the Gods, which were forbidden by the Laws. Thirdly, to preſcribe Ceremonies, Supplications, Sacrifices, and Feſtivals, by which they were to believe the Anger of the Gods might be appeaſed; and that ill Succeſs in War, great Contagions of Sickneſs, Earthquakes, and each Man's private Miſery, came from the Anger of the Gods; and their Anger from the Neglect of their Worſhip, or the forgetting, or miſtaking ſome Point of the Ceremonies required. And though amongſt the antient Romans, Men were not forbidden to deny, that which in the Poets is written of the

Pains and Pleaſures after this Life ; which divers of great Authority and Gravity in that State have in their *Harangues* openly derided ; yet that Belief was always more cheriſhed than the contrary.

And by theſe, and ſuch other Inſtitutions they obtained in order to their End, (which was the Peace of the Commonwealth) that the common People in their Misfortunes, laying the Fault on Neglect, or Error in their Ceremonies, or on their own Diſobedience to the Laws, were the leſs apt to mutiny againſt their Governors. And being entertained with the Pomp and Paſtime of Feſtivals, and public Games made in Honour of the Gods, needed nothing elſe but Bread, to keep them from Diſcontent, Murmuring, and Commotion againſt the State. And therefore the *Romans*, that had conquered the greateſt Part of the then known World, made no Scruple of tolerating any Religion whatſoever in the City of *Rome* itſelf ; unleſs it had ſomething in it, that could not conſiſt with their civil Government ; nor do we read, that any Religion was there forbidden, but that of the *Jews* ; who (being the peculiar Kingdom of God) thought it unlawful to acknowledge Subjection to any mortal King or State whatſoever. And thus you ſee how the Religion of the *Gentiles* was a Part of their Policy.

The true Religion, and the Laws of God's Kingdom, the ſame.

But where God himſelf, by ſupernatural Revelation, planted Religion, there he alſo made to himſelf a peculiar Kingdom ; and gave Laws, not only of Behaviour towards himſelf, but alſo towards one another ; and thereby in the Kingdom of God, the Policy, and Laws Civil, are a Part of Religion ; and therefore the Diſtinction of Temporal and Spiritual Domination, hath there no Place. It is true, that God is King of all the Earth : Yet may he be King of a peculiar and choſen Nation. For there is no more Incongruity therein, than that he that hath the general Command of the whole Army, ſhould have withal a peculiar Regiment, or Company of his own. God is King of all the Earth by his Power : but to ſpeak more largely of the Kingdom of God, both by Nature and Covenant, I have in the following Diſcourſe aſſigned another Place.

Chap. xxxv.

The Cauſes of Change in Religion.

From the Propagation of Religion, it is not hard to underſtand the Cauſes of the Reſolution of the ſame into its firſt Seeds, or Principles ; which are only an Opinion of a Deity, and Powers inviſible, and ſupernatural ; that can never be ſo aboliſhed out of human Nature, but that new Religions may again be made to ſpring out of them, by the Culture of ſuch Men, as for ſuch Purpoſe are in Reputation.

For ſeeing all formed Religion is founded at firſt upon the Faith which a Multitude hath in ſome one Perſon, whom they believe not only to be a wiſe Man, and to labour to procure their Happineſs, but alſo to be a holy Man, to whom God himſelf vouchſafeth to declare his Will ſupernaturally ; it followeth neceſſarily, when they that have the Government of Religion, ſhall come to have either the Wiſdom of thoſe Men, their Sincerity, or their Love ſuſpected ; or that they ſhall be unable to ſhew any probable Token of divine Revelation ; that the Religion which they deſire to uphold, muſt be ſuſpected likewiſe ; and (without the Fear of the civil Sword) contradicted and rejected.

Enjoining Belief of Impoſſibilities.

That which taketh away the Reputation of Wiſdom, in him that formeth a Religion, or addeth to it when it is already formed, is the enjoining of a Belief of Contradictories : for both Parts of a Contradiction cannot poſſibly be true : and therefore to enjoin the Belief of them, is an Argument of Ignorance ; which detects the Author in that, and diſcredits him in all Things elſe he ſhall propound as from Revelation ſupernatural : which Revelation a Man may indeed have of many Things above, but of nothing againſt natural Reaſon.

Doing contrary to the Religion they eſtabliſh.

That which taketh away the Reputation of Sincerity, is the doing or ſaying ſuch Things as appear to be Signs, that what they require other Men to believe, is not believed by themſelves: all which Doings or Sayings are therefore called ſcandalous, becauſe they be Stumbling-blocks, that make Men to fall in the Way of Religion: as Injuſtice, Cruelty, Prophaneneſs, Avarice, and Luxury. For who can believe, that he that doth ordinarily ſuch Actions, as proceed from any of theſe Roots, believeth there is any ſuch inviſible Power to be feared, as he affrighteth other Men withal for leſſer Faults?

That which taketh away the Reputation of Love, is the being detected of private Ends: as when the Belief they require of others conduceth or ſeemeth to conduce to the acquiring of Dominion, Riches, Dignity, or to ſecure Pleaſure to themſelves only, or ſpecially. For that which Men reap Benefit by to themſelves, they are thought to do for their own Sakes, and not for Love of others.

Want of the Teſtimony of Miracles.

Laſtly, the Teſtimony that Men can render of Divine Calling, can be no other than the Operation of Miracles, or true Prophecy, (which alſo is a Miracle;) or extraordinary Felicity. And therefore, to thoſe Points of Religion which have been received from them that did ſuch Miracles, thoſe that are added by ſuch, as approve not their Calling by ſome Miracle, obtain no greater Belief than what the Cuſtom and Laws of the Places, in which they be educated, have wrought into them. For as in natural Things, Men of Judgment require natural Signs and Arguments; ſo in ſupernatural Things, they require Signs ſupernatural, (which are Miracles) before they conſent inwardly, and from their Hearts.

All which Cauſes of the weakening of Men's Faith, do manifeſtly appear in the Examples following. Firſt, we have the Example of the Children of *Iſrael*; who when *Moſes*, that had approved his Calling to them by Miracles, and by the happy Conduct of them out of *Egypt*, was abſent but forty Days, revolted from the Worſhip of the true God, recommended to them by him; and ſetting up * a golden Calf for their God, relapſed into the Idolatry of the *Egyptians*, from whom they had been ſo lately delivered. And again, after *Moſes*, *Aaron*, *Joſhua*, and that Generation which had ſeen the great Works of God in *Iſrael*, † were dead, another Generation aroſe, and ſerved *Baal*. So that Miracles failing, Faith alſo failed.

* Exod. xxxii. 1, 2.

† Judges ii. 11.

Again, when the Sons of *Samuel*, ‡ being conſtituted by their Father Judges in *Beer-ſheba*, received Bribes, and judged unjuſtly, the People of *Iſrael* refuſed any more to have God to be their King, in other Manner than he was King of other People; and therefore cried out to *Samuel*, to chuſe them a King after the Manner of the Nations. So that Juſtice failing, Faith alſo failed: inſomuch, as they depoſed their God from reigning over them.

‡ 1 Sam. viii. 3.

And whereas in the planting of Chriſtian Religion, the Oracles ceaſed in all Parts of the *Roman* Empire, and the Number of Chriſtians increaſed wonderfully every Day, and in every Place, by the Preaching of the Apoſtles and Evangeliſts; a great part of ſuch Succeſs, may reaſonably be attributed to the Contempt into which the Prieſts of the *Gentiles* of that Time had brought themſelves, by their Uncleanneſs, Avarice, and Juggling between Princes. Alſo the Religion of the Church of *Rome* was partly for the ſame Cauſe aboliſhed in *England*, and many other Parts of *Chriſtendom*; inſomuch as the failing of Virtue in the Paſtors, maketh Faith fail in the People: and partly from bringing of the Philoſophy and Doctrine of *Ariſtotle* into Religion by the Schoolmen; from whence there aroſe ſo many Contradictions and Abſurdities, as brought the Clergy into a Reputation both of Ignorance and of fraudulent Intention; and inclined People to revolt from them, either againſt the Will of their own Princes, as in *France* and *Holland*; or with their Will, as in *England*.

Laſtly, amongſt the Points by the Church of *Rome* declared neceſſary for Salvation, there be ſo many manifeſtly to the Advantage of the Pope, and of his ſpiritual Subjects reſiding in the Territories of other Chriſtian Princes, that were it not for the mutual Emulation of thoſe Princes, they might, without War or Trouble, exclude all foreign Authority, as eaſily as it has been excluded in *England*. For who is there that does not ſee to whoſe Benefit it conduceth, to have it believed, that a King hath not his Authority from Chriſt, unleſs a Biſhop crown him? That a King, if he be a Prieſt, cannot marry? That whether a Prince be born in lawful Marriage, or not, muſt be judged by Authority from *Rome*? That Subjects may be freed from their Allegiance, if by the Court of *Rome* the King be judged an Heretic? That a King (as *Chilperic* of *France*) may be depoſed by a Pope (as Pope *Zachary*) for no Cauſe; and his Kingdom given to one of his Subjects? That the Clergy and Regulars, in what Country ſoever, ſhall be exempt from the Juriſdiction of their King, in Caſes criminal? Or who does not ſee to whoſe Profit redound the Fees of private Maſſes, and Vales of Purgatory; with other Signs of private Intereſt, enough to mortify the moſt lively Faith, if (as I ſaid) the Civil Magiſtrate and Cuſtom did not more ſuſtain it, than any Opinion they have of the Sanctity, Wiſdom, or Probity of their Teachers? So that I may attribute all the Changes of Religion in the World to one and the ſame Cauſe; and that is, unpleaſing Prieſts; and thoſe not only amongſt Catholics, but even in that Church that hath preſumed moſt of Reformation.

CHAP. XIII.

Of the NATURAL CONDITION *of Mankind, as concerning their Felicity and Miſery.*

Men by Nature equal.

NATURE hath made Men ſo equal in the Faculties of Body and Mind, as that though there be found one Man ſometimes manifeſtly ſtronger in Body, or of quicker Mind than another; yet when all is reckoned together, the Difference between Man and Man is not ſo conſiderable, as that one Man can thereupon claim to himſelf any Benefit, to which another may not pretend as well as he. For as to the Strength of Body, the Weakeſt has Strength enough to kill the Strongeſt, either by ſecret Machination, or by Confederacy with others, that are in the ſame Danger with himſelf.

And as to the Faculties of the Mind, (ſetting aſide the Arts grounded upon Words, and eſpecially that Skill of proceeding upon general and infallible Rules, called Science, which very few have, and but in a few Things, as being not a native Faculty, born with us, nor attained, as Prudence, while we look after ſomewhat elſe) I find yet a greater Equality amongſt Men than that of Strength. For Prudence is but Experience, which equal Time equally beſtows on all Men, in thoſe Things they equally apply themſelves unto. That which may perhaps make ſuch Equality incredible, is but a vain Conceit of one's own Wiſdom, which almoſt all Men think they have in a greater Degree than the

Vulgar; that is, than all Men but themſelves, and a few others, whom by Fame, or concurring with themſelves, they approve. For ſuch is the Nature of Men, that howſoever they may acknowledge many others to be more witty, or more eloquent, or more learned; yet they will hardly believe there be many ſo wiſe as themſelves; for they ſee their own Wit at Hand, and other Men's at a Diſtance. But this proveth rather that Men are in that Point equal, than unequal. For there is not ordinarily a greater Sign of the equal Diſtribution of any thing, than that every Man is contented with his Share.

From Equality proceeds Diffidence.

From this Equality of Ability, ariſeth Equality of Hope in the attaining of our Ends. And therefore, if any two Men deſire the ſame Thing, which nevertheleſs they cannot both enjoy, they become Enemies; and in the Way to their End (which is principally their own Conſervation, and ſometimes their Delectation only) endeavour to deſtroy or ſubdue one another. And from hence it comes to paſs, that where an Invader hath no more to fear, than another Man's ſingle Power; if one plant, ſow, build, or poſſeſs a convenient Seat, others may probably be expected to come prepared with Forces united, to diſpoſſeſs and deprive him, not only of the Fruit of his Labour, but alſo of his Life or Liberty. And the Invader again is in the like Danger of another.

From Diffidence, War.

And from this Diffidence of one another, there is no Way for any Man to ſecure himſelf, ſo reaſonable, as Anticipation; that is, by Force or Wiles to maſter the Perſons of all Men he can, ſo long, till he ſee no other Power great enough to endanger him; and this is no more than his own Conſervation requireth, and is generally allowed. Alſo becauſe there be ſome, that taking Pleaſure in contemplating their own Power in the Acts of Conqueſt, which they purſue farther than their Security requires; if others, that otherwiſe would be glad to be at Eaſe within modeſt Bounds, ſhould not by Invaſion increaſe their Power, they would not be able, long Time, by ſtanding only on their Defence, to ſubſiſt. And by Conſequence, ſuch Augmentation of Dominion over Men being neceſſary to a Man's Conſervation, it ought to be allowed him.

Again, Men have no Pleaſure (but on the contrary a great deal of Grief) in keeping Company, where there is no Power able to over-awe them all. For every Man looketh that his Companion ſhould value him at the ſame Rate he ſets upon himſelf; and upon all Signs of Contempt or Undervaluing, naturally endeavours, as far as he dares (which amongſt them that have no common Power to keep them in Quiet, is far enough to make them deſtroy each other) to extort a greater Value from his Contemners by Domage, and by others from the Example.

So that in the Nature of Man we find three principal Cauſes of Quarrel. Firſt, Confidence; Secondly, Diffidence; Thirdly, Glory.

The Firſt, maketh Men invade for Gain; the Second, for Safety; and the Third, for Reputation. The Firſt uſe Violence to make themſelves Maſters of other Men's Perſons, Wives, Children, and Cattle; the Second, to defend them; the Third, for Trifles, as a Word, a Smile, a different Opinion, and any other Sign of Undervaluation, either direct in their Perſons, or by Reflection in their Kindred, their Friends, their Nation, their Profeſſion, or their Name.

Out of Civil States, there is always War of every one againſt every one.

Hereby it is manifeſt, that during the Time Men live without a common Power to keep them all in Awe, they are in that Condition which is called War; and ſuch a War, as is of every Man againſt every Man. For *War* conſiſteth not in Battle only, or the Act of Fighting, but in a Tract of Time, wherein the Will to contend by Battle is ſufficiently known; and therefore the Notion of *Time* is to be conſidered in the Nature of War, as it is in the Nature of Weather. For as the Nature of foul Weather lieth not in a Shower or two of Rain, but in an Inclination thereto of many Days together; ſo the Nature of War conſiſteth not in actual Fighting, but in the known Diſpoſition thereto, during all the Time there is no Aſſurance to the contrary. All other Time is *Peace*.

The Incommodities of War.

Whatſoever therefore is conſequent to a Time of War, where every Man is Enemy to every Man, the ſame is conſequent to the Time wherein Men live without other Security, than what their own Strength and their own Invention ſhall furniſh them withal. In ſuch Condition there is no Place for Induſtry, becauſe the Fruit thereof is uncertain; and conſequently no Culture of the Earth, no Navigation, nor Uſe of the Commodities that may be imported by Sea; no commodious Building; no Inſtruments of moving and removing ſuch Things as require much Force; no Knowledge of the Face of the Earth, no Account of Time, no Arts, no Letters, no Society, and, which is worſt of all, continual Fear and Danger of eternal Death; and the Life of Man, ſolitary, poor, naſty, brutiſh, and ſhort.

It may ſeem ſtrange to ſome Man, that has not well weighed theſe Things, that Nature ſhould thus diſſociate, and render Men apt to invade and deſtroy one another: and he may therefore, not truſting to this Inference, made from the Paſſions, deſire perhaps to have the ſame confirmed by Experience. Let him therefore conſider with himſelf, when taking a Journey he arms himſelf, and ſeeks to go well accompanied; when going to ſleep, he locks his Doors; when even in his Houſe, he locks his Cheſts; and this when he knows there be Laws, and public Officers, armed, to revenge all Injuries ſhall be done him; what Opinion he has of his Fellow-Subjects, when he rides armed; of his Fellow-Citizens, when he locks his Doors; and of his Children and Servants, when he locks his Cheſts. Does he not there as much accuſe Mankind by his Actions, as I do by my Words? But neither of us accuſe Man's Nature in it. The Deſires and other Paſſions of Man, are in themſelves no Sin. No more are the Actions that proceed from thoſe Paſſions, till they know a Law that forbids them: which, till Laws be made, they cannot know: nor can any Law be made, till they have agreed upon the Perſon that ſhall make it.

It may peradventure be thought, there never was ſuch a Time, nor Condition of War as this; and I believe it was never generally ſo, over all the World: but there are many Places, where they live ſo now. For the ſavage People in many Places of *America*, except the Government of ſmall Families, the Concord whereof depended on natural Luſt, have no Government at all; and live at this Day in that brutiſh Manner as I ſaid before. Howſoever, it may be perceived what Manner of Life there would be, where there were no common Power to fear; by the Manner of Life, which Men that have formerly lived under a peaceful Government, uſe to degenerate into, in a civil War.

But though there had never been any Time, wherein particular Men were in a Condition of War one againſt another; yet in all Times, Kings, and Perſons of Sovereign Authority, becauſe of their Independency, are in continual Jealouſies, and in the State and Poſture of Gladiators; having their Weapons pointing, and their Eyes fixed on one another; that is, their Forts, Garriſons, and Guns upon the Frontiers of their Kingdoms; and continual Spies upon their Neighbours; which is a Poſture of War. But becauſe they uphold thereby the Induſtry of their Subjects, there does not follow from it that Miſery which accompanies the Liberty of particular Men.

In ſuch a War, nothing is unjuſt.

To this War of every Man againſt every Man, this alſo is conſequent; that nothing can be unjuſt. The Notions of Right and Wrong, Juſtice and Injuſtice, have there no Place. Where there is no common Power, there is no Law: where no Law, no Injuſtice. Force, and Fraud, are in War the two Cardinal Virtues. Juſtice, and Injuſtice, are none of the Faculties neither of the Body nor Mind. If they were, they might be in a Man that were alone in the World, as well as his Senſes and Paſſions. They are Qualities that relate to Men in Society, not in Solitude. It is conſequent alſo to the ſame Condition, that there be no Propriety, no Dominion, no *Mine* and *Thine* diſtinct: but only that to be every Man's, that he can get; and for ſo long as he can keep it. And thus much for the ill Condition, which Man by mere Nature is actually placed in; though with a Poſſibility to come out of it, conſiſting partly in the Paſſions, partly in his Reaſon.

The Paſſions that incline Men to Peace.

The Paſſions that incline Men to Peace, are Fear of Death; Deſire of ſuch Things as are neceſſary to commodious Living; and a Hope by their Induſtry to obtain them. And Reaſon ſuggeſteth convenient Articles of Peace, upon which Men may be drawn to Agreement. Theſe Articles are they, which otherwiſe are called the Laws of Nature: whereof I ſhall ſpeak more particularly in the two following Chapters.

CHAP. XIV.

Of the firſt and ſecond NATURAL LAWS, *and of* CONTRACTS.

Right of Nature, what.

THE *Right of Nature*, which Writers commonly call *Jus Naturale*, is the Liberty each Man hath to uſe his own Power, as he will himſelf, for the Preſervation of his own Nature; that is to ſay, of his own Life; and conſequently, of doing any Thing, which in his own Judgment and Reaſon he ſhall conceive to be the apteſt Means thereunto.

Liberty, what.

By *Liberty* is underſtood, according to the proper Signification of the Word, the Abſence of external Impediments: which Impediments may oft take away Part of a Man's Power to do what he would; but cannot hinder him from uſing the Power left him, according as his Judgment and Reaſon ſhall dictate to him.

A Law of Nature, what.

A *Law of Nature, (Lex Naturalis)* is a Precept or general Rule, found out by Reaſon, by which a Man is forbidden to do that which is deſtructive of his Life, or taketh away the Means of preſerving the ſame; and to omit that, by which he thinketh it may be beſt preſerved. For though they that ſpeak of this Subject, uſe to confound *Jus* and *Lex*, *Right* and *Law*; yet they ought to be diſtinguiſhed; becauſe *Right* conſiſteth in Liberty to do, or to forbear; whereas *Law* determineth, and bindeth to one of them: ſo that Law and Right, differ as much as Obligation, and Liberty; which in one and the ſame Matter are inconſiſtent.

Difference of Right and Law.

Naturally every Man has Right to every Thing.

And becauſe the Condition of Man, (as hath been declared in the precedent Chapter) is a Condition of War of every one againſt every one; in which Caſe every one is governed by his own Reaſon; and there is nothing he can make uſe of that may not be a Help unto him, in preſerving his Life againſt his Enemies; it followeth, that in ſuch a Condition every Man has a Right to every Thing, even to one another's Body. And therefore, as long as this natural Right of every Man to every Thing endureth, there can be no Security to any Man, (how ſtrong or wiſe ſoever he be) of living out the Time, which Nature ordinarily alloweth Men to live. And conſequently it is a Precept, or general Rule of Reaſon, *That every Man ought to endeavour Peace, as far as he has Hope of obtaining it; and when he cannot obtain it, that he may ſeek and uſe all Helps and Advantages of War.* The firſt Branch of which Rule, containeth the firſt and fundamental Law of Nature; which is, *to ſeek Peace, and follow it.* The ſecond, the Sum of the Right of Nature; which is, *By all Means we can, to defend ourſelves.*

The Fundamental Law of Nature.

The ſecond Law of Nature.

From this fundamental Law of Nature, by which Men are commanded to endeavour Peace, is derived this ſecond Law; *That a Man be willing, when others are ſo too, as farforth as for Peace and Defence of himſelf he ſhall think it neceſſary, to lay down this Right to all Things; and be contented with ſo much Liberty againſt other Men, as he would allow other Men againſt himſelf.* For as long as every Man holdeth this Right, of doing any Thing he liketh; ſo long are Men in the Condition of War. But if other Men will not lay down their Right, as well as he; then there is no Reaſon for any one to diveſt himſelf of his: For that were to expoſe himſelf to Prey, (which no Man is bound to) rather than to diſpoſe himſelf to Peace. This is that Law of the Goſpel; *Whatſoever you require that others ſhould do to you, that do ye to them.* And that Law of all Men, *Quod tibi fieri non vis, alteri ne feceris.*

What it is to lay down a Right.

To *lay down* a Man's *Right* to any Thing, is to *diveſt* himſelf of the *Liberty* of hindering another of the Benefit of his own Right to the ſame. For he that renounceth, or paſſeth away his Right, giveth not to any other Man a Right which he had not before; becauſe there is nothing to which every Man had not Right by Nature: but only ſtandeth out of his Way, that he may enjoy his own original Right, without Hindrance from him; not without Hindrance from another. So that the Effect which redoundeth to one Man, by another Man's Defect of Right, is but ſo much Diminution of Impediments to the Uſe of his own Right original.

Renouncing a Right, what it is.

Transferring Right, what.

Obligation.

Duty.

Injuſtice.

Right is laid aſide, either by ſimply renouncing it; or by transferring it to another. By *ſimply renouncing*; when he cares not to whom the Benefit thereof redoundeth. By *transferring*; when he intendeth the Benefit thereof to ſome certain Perſon, or Perſons. And when a Man hath in either Manner abandoned, or granted away his Right; then he is ſaid to be *obliged*, or *bound*, not to hinder thoſe, to whom ſuch Right is granted, or abandoned, from the Benefit of it: and that he *ought*, and it is his *Duty*, not to make void that voluntary Act of his own: and that ſuch Hindrance is *Injuſtice*, and *Injury*, as being *ſine Jure*; the Right being before renounced, or transferred. So that *Injury*, or *Injuſtice*, in the Controverſies of the World, is ſomewhat like to that which in the Diſputations of Scholars is called *Abſurdity*. For as it is there called an Abſurdity, to contradict what one maintained in the Beginning: ſo in the World, it is called Injuſtice, and Injury, voluntarily to undo that, which from the Beginning he had voluntarily done. The Way by which a Man either ſimply renounceth, or transferreth his Right, is a Declaration, or Signification, by ſome voluntary and ſufficient Sign, or Signs, that he doth ſo renounce or transfer; or hath ſo renounced or transferred the ſame, to him that accepteth it. And theſe Signs are either Words only, or Actions only; or (as it happeneth moſt often) both Words and Actions. And the ſame are the *Bonds*, by which Men are bound and obliged: Bonds, that have their Strength, not from their own Nature, (for nothing is more eaſily broken than a Man's Word) but from Fear of ſome evil Conſequence upon the Rupture.

Not all Rights are alienable.

Whenſoever a Man transferreth his Right, or renounceth it, it is either in Conſideration of ſome Right reciprocally transferred to himſelf, or for ſome other Good he hopeth for thereby. For it is a voluntary Act: and of the voluntary Acts of every Man, the Object is ſome *Good to himſelf.* And therefore there be ſome Rights, which no Man can be underſtood by any Words or other Signs to have abandoned, or transferred. As firſt, a Man cannot lay down the Right of reſiſting them that aſſault him by Force, to take away his Life; becauſe he cannot be underſtood to aim thereby at any Good to himſelf. The ſame may be ſaid of Wounds, and Chains, and Impriſonment; both becauſe there is no Benefit conſequent to ſuch Patience, as there is to the Patience of ſuffering another to be wounded, or impriſoned: as alſo becauſe a Man cannot tell, when he ſeeth Men proceed againſt him by Violence, whether they intend his Death or not. And laſtly, the Motive and End for which this renouncing and transferring of Right is introduced, is nothing elſe but the Security of a Man's Perſon in his Life, and in the Means of ſo preſerving Life, as not to be weary of it. And therefore if a Man by Words, or other Signs, ſeem to deſpoil himſelf of the End, for which thoſe Signs were intended; he is not to be underſtood as if he meant it, or that it was his Will; but that he was ignorant of how ſuch Words and Actions were to be interpreted.

Contract, what.

The mutual transferring of Right, is that which Men call *Contract.*

There is Difference between transferring of Right to the Thing, and transferring or Tradition, that is, Delivery of the Thing itſelf. For the Thing may be delivered together with the Tranſlation of the Right; as in buying and ſelling with ready Money; or Exchange of Goods, or Lands: and it may be delivered ſome time after.

Covenant, what.

Again, one of the Contractors may deliver the Thing contracted for on his Part, and leave the other to perform his Part at ſome determinate Time after, and in the mean Time be truſted; and then the Contract on his Part, is called *Pact*, or *Covenant:* Or both Parties may contract now, to perform hereafter: in which Caſes, he that is to perform in time to come, being truſted, his Performance is called *Keeping of Promiſe*, or Faith; and the failing of Performance (if it be voluntary) *Violation of Faith.*

Free-gift.

When the transferring of Right is not mutual; but one of the Parties transferreth, in hope to gain thereby Friendſhip, or Service from another, or from his Friends; or in hope to gain the Reputation of Charity, or Magnanimity; or to deliver his Mind from the Pain of Compaſſion; or in hope of Reward in Heaven; this is not Contract, but *Gift*, *Free-gift*, *Grace:* which Words ſignify one and the ſame Thing.

Signs of Contract expreſs.

Signs of Contract, are either *expreſs*, or *by Inference.* Expreſs, are Words ſpoken with Underſtanding of what they ſignify: And ſuch Words are either of the Time *preſent*, or *paſt*; as, *I give*, *I grant*, *I have given*, *I have granted*, *I will that this be yours:* Or of the future; as, *I will give*, *I will grant:* which Words of the future are called *Promiſe.*

Signs of Contract by Inference.

Signs by Inference, are ſometimes the Conſequence of Words; ſometimes the Conſequence of Silence; ſometimes the Conſequence of Actions; ſometimes the Conſequence of forbearing an Action: and generally a Sign by Inference, of any Contract, is whatſoever ſufficiently argues the Will of the Contractor.

Free-gift paſſeth by Words of the preſent or paſt.

Words alone, if they be of the Time to come, and contain a bare Promiſe, are an inſufficient Sign of a Free-gift, and therefore not obligatory. For if they be of the Time to come, as, *To-morrow I will give*, they are a Sign I have not given yet, and conſequently that my Right is not transferred, but remaineth till I transfer it by ſome other Act. But if the Words be of the Time preſent, or paſt, as *I have given, or do give to be delivered To-morrow*, then is my To-morrow's Right given away To-day; and that by Virtue of the Words, though there were no other Argument of my Will. And there is a great Difference in the Signification of theſe Word, *Volo hoc tuum eſſe cras*, and *Cras dabo*; that is, between *I will that this be thine To-morrow*, and, *I will give it thee To-morrow:* For the Word *I will*, in the former Manner of Speech, ſignifies an Act of the Will preſent; but in the latter it ſignifies a Promiſe of an Act of the Will to come; and therefore the former Words being of the preſent, transfer a future Right; the latter, that be of the future, transfer nothing. But if there be other Signs of the Will to transfer a Right, beſides Words; then, though the Gift be free, yet may the Right be underſtood to paſs by Words of the future: as if a Man propound a Prize to him that comes firſt to the End of a Race, the Gift is free; and though the Words be of the future, yet the Right paſſeth: for if he would not have his Words ſo to be underſtood, he ſhould not have let them run.

Signs of Contract are Words both of paſt, preſent, and future.

In Contracts, the Right paſſeth, not only where the Words are of the Time preſent, or paſt; but alſo where they are of the future: becauſe all Contract is mutual Tranſlation, or Change of Right; and therefore he that promiſeth only, becauſe he hath already received the Benefit for which he promiſeth, is to be underſtood as if he intended the Right ſhould paſs: for unleſs he had been content to have his Words ſo underſtood, the other would not have performed his Part firſt. And for that Cauſe, in buying and ſelling, and other Acts of Contract, a Promiſe is equivalent to a Covenant; and therefore obligatory.

Merit, what.

He that performeth firſt in the Caſe of a Contract, is ſaid to *merit* that which he is to receive by the Performance of the other; and he hath it as *Due*. Alſo when a Prize is propounded to many, which is to be given to him only that winneth; or Money is thrown amongſt many, to be enjoyed by them that catch it; though this be a Free-gift; yet ſo to win, or ſo to catch, is to *merit*, and to have it as *Due*. For the Right is transferred in the propounding of the Prize, and in throwing down the Money; though it be not determined to whom, but by the Event of the Contention. But there is between theſe two Sorts of Merit, this Difference, that in Contract I merit by Virtue of my own Power, and the Contractor's Need; but in this Caſe of Free-gift, I am enabled to merit only by the Benignity of the Giver: In Contract, I merit at the Contractor's Hand that he ſhould depart with his Right; in caſe of Gift, I merit not that the Giver ſhould part with his Right; but that when he has parted with it, it ſhould be mine, rather than another's. And this I think to be the Meaning of that Diſtinction of the Schools, between *Meritum congrui*, and *Meritum condigni*. For God Almighty, having promiſed Paradiſe to thoſe Men (hoodwink'd with carnal Deſires) that can walk through this World according to the Precepts and Limits preſcribed by him; they ſay, he that ſhall ſo walk, ſhall merit Paradiſe *ex congruo*. But becauſe no Man can demand a Right to it by his own Righteouſneſs, or any other Power in himſelf, but by the free Grace of God only; they ſay, no Man can merit Paradiſe *ex condigno*.

condigno. This, I ſay, I think is the Meaning of that Diſtinction; but becauſe Diſputers do not agree upon the Signification of their own Terms of Art, longer than it ſerves their Turn; I will not affirm any Thing of their Meaning: only this I ſay; when a Gift is given indefinitely, as a Prize to be contended for, he that winneth meriteth, and may claim the Prize as Due.

Covenants of mutual Truſt, when invalid.

If a Covenant be made, wherein neither of the Parties perform preſently, but truſt one another; in the Condition of mere Nature, (which is a Condition of War of every Man againſt every Man) upon any reaſonable Suſpicion, it is void: But if there be a common Power ſet over them both, with Right and Force ſufficient to compel Performance; it is not void. For he that performeth firſt, has no Aſſurance the other will perform after; becauſe the Bonds of Words are too weak to bridle Men's Ambition, Avarice, Anger, and other Paſſions, without the Fear of ſome coercive Power; which in the Condition of mere Nature, where all Men are equal, and Judges of the Juſtneſs of their own Fears, cannot poſſibly be ſuppoſed. And therefore he which performeth firſt, does but betray himſelf to his Enemy; contrary to the Right (he can never abandon) of defending his Life, and Means of living.

But in a Civil Eſtate, where there is a Power ſet up to conſtrain thoſe that would otherwiſe violate their Faith, that Fear is no more reaſonable; and for that Cauſe, he which by the Covenant is to perform firſt, is obliged ſo to do.

The Cauſe of Fear, which maketh ſuch a Covenant invalid, muſt be always ſomething ariſing after the Covenant made; as ſome new Fact, or other Sign of the Will not to perform: elſe it cannot make the Covenant void. For that which could not hinder a Man from promiſing, ought not to be admitted a Hindrance of performing.

Right to the End, containeth Right to the Means.

He that transferreth any Right, transferreth the Means of enjoying it, as far as lieth in his Power. As he that ſelleth Land, is underſtood to transfer the Herbage, and whatſoever grows upon it: Nor can he that ſells a Mill, turn away the Stream that drives it. And they that give to a Man the Right of Government in Sovereignty, are underſtood to give him the Right of levying Money to maintain Soldiers, and of appointing Magiſtrates for the Adminiſtration of Juſtice.

No Covenant with Beaſts.

To make Covenants with brute Beaſts, is impoſſible; becauſe not underſtanding our Speech, they underſtand not, nor accept of any Tranſlation of Right; nor can tranſlate any Right to another: and without mutual Acceptation, there is no Covenant.

Nor with God without ſpecial Revelation.

To make Covenant with God is impoſſible, but by Mediation of ſuch as God ſpeaketh to, either by Revelation ſupernatural, or by his Lieutenants that govern under him, and in his Name: For otherwiſe we know not whether our Covenants be accepted, or not. And therefore they that vow any thing contrary to any Law of Nature, vow in vain; as being a Thing unjuſt to pay ſuch Vow. And if it be a Thing commanded by the Law of Nature, it is not the Vow, but the Law that binds them.

No Covenant, but of poſſible and future.

The Matter, or Subject of a Covenant, is always ſomething that falleth under Deliberation; (for to covenant is an Act of the Will; that is to ſay, an Act, and the laſt Act, of Deliberation) and is therefore always underſtood to be ſomething to come; and which is judged poſſible for him that covenanteth, to perform.

And therefore, to promiſe that which is known to be impoſſible, is no Covenant. But if that prove impoſſible afterwards, which before was thought poſſible, the Covenant is valid, and bindeth (though not to the Thing itſelf) yet to the Value; or, if that alſo be impoſſible, to the unfeigned Endeavour of performing as much as is poſſible: for to more no Man can be obliged.

Covenants how made void.

Men are freed of their Covenants two Ways; by performing, or by being forgiven. For Performance is the natural End of Obligation, and Forgiveneſs the Reſtitution of Liberty; as being a re-transferring of that Right, in which the Obligation conſiſted.

Covenants extorted by Fear are valid.

Covenants entered into by Fear, in the Condition of mere Nature, are obligatory. For Example; if I covenant to pay a Ranſom or Service for my Life to an Enemy, I am bound by it. For it is a Contract, wherein one receiveth the Benefit of Life, the other is to receive Money or Service for it; and conſequently where no other Law (as in the Condition of mere Nature) forbiddeth the Performance, the Covenant is valid. Therefore Priſoners of War, if truſted with the Payment of their Ranſom, are obliged to pay it; and if a weaker Prince make a diſadvantageous Peace with a ſtronger, for Fear, he is bound to keep it; unleſs (as hath been ſaid before) there ariſeth ſome new and juſt Cauſe of Fear to renew the War. And even in Commonwealths, if I be forced to redeem myſelf from a Thief, by promiſing him Money, I am bound to pay it, till the Civil Law diſcharge me. For whatſoever I may lawfully do without Obligation, the ſame I may lawfully covenant to do through Fear; and what I lawfully covenant, I cannot lawfully break.

The former Covenant to one, makes void the latter to another.

A former Covenant makes void a latter. For a Man that hath paſſed away his Right to one Man To-day, hath it not to paſs To-morrow to another; and therefore the latter Promiſe paſſeth no Right, but is null.

A Man's Covenant not to defend himſelf, is void.

A Covenant not to defend myſelf from Force by Force, is always void. For (as I have ſhewed before) no Man can transfer or lay down his Right to ſave himſelf from Death, Wounds, or Impriſonment, (the avoiding whereof is the only End of laying down any Right) and therefore the Promiſe of not reſiſting Force, in no Covenant transferreth any Right, nor is obliging. For though a Man may covenant thus, *Unleſs I do ſo, or ſo, kill me*; he cannot covenant thus, *Unleſs I do ſo, or ſo, I will not reſiſt you, when you come to kill me.* For Man by Nature chuſeth the leſſer Evil, which is Danger of Death in reſiſting, rather that the greater, which is certain and preſent Death in not reſiſting. And this is granted to be true by all Men, in that they lead Criminals to Execution and Priſon, with armed Men, notwithſtanding that ſuch Criminals have conſented to the Law, by which they are condemned.

No Man obliged to accuſe himſelf.

A Covenant to accuſe one's ſelf, without Aſſurance of Pardon, is likewiſe invalid. For in the Condition of Nature, where every Man is Judge, there is no Place for Accuſation: and in the Civil State, the Accuſation is followed with Puniſhment; which, being Force, a Man is not obliged not to reſiſt. The ſame is alſo true of the Accuſation of thoſe, by whoſe Condemnation a Man falls into Miſery; as of a Father, Wife, or Benefactor. For the Teſtimony of ſuch an Accuſer, if it be not willingly given, is preſumed to be corrupted by Nature, and therefore not to be received; and where a Man's Teſtimony is not to be credited, he is not bound to give it. Alſo Accuſations upon Torture, are not to be reputed as Teſtimonies. For Torture is to be uſed but as Means of Conjecture, and Light, in the further Examination and Search of Truth; and what is in that Caſe confeſſed, tendeth to the Eaſe of him that is tortured, not to the informing of the Torturers; and therefore ought not to have the Credit of a ſufficient Teſtimony: for whether he deliver himſelf by true or falſe Accuſation, he does it by the Right of preſerving his own Life.

The End of an Oath.

The Force of Words being (as I have formerly noted) too weak to hold Men to the Performance of their Covenants, there are in Man's Nature but two imaginable Helps to ſtrengthen it. And thoſe are either a Fear of the Conſequence of breaking their Word; or a Glory, or Pride in appearing not to need to break it. This latter is a Generoſity too rarely found to be preſumed on, eſpecially in the Purſuers of Wealth, Command, or ſenſual Pleaſure; which are the greateſt Part of Mankind. The Paſſion to be reckoned upon, is Fear; whereof there be two very general Objects: one, the Power of Spirits inviſible; the other, the Power of thoſe Men they ſhall therein offend. Of theſe two, though the former be the greater Power, yet the Fear of the latter is commonly the greater Fear. The Fear of the former is in every Man, his own Religion: which hath Place in the Nature of Man before Civil Society. The latter hath not ſo; at leaſt not Place enough, to keep Men to their Promiſes; becauſe in the Condition of mere Nature, the Inequality of Power is not diſcerned, but by the Event of Battle. So that before the Time of Civil Society, or in the Interruption thereof by War, there is nothing can ſtrengthen a Covenant of Peace agreed on, againſt the Temptations of Avarice, Ambition, Luſt, or other ſtrong Deſire, but the Fear of that inviſible Power, which they every one worſhip as God, and fear as a Revenger of their Perfidy. All therefore that can be done between two Men not ſubject to Civil Power, is to put one another to ſwear by the God he feareth: Which *Swearing*, or *Oath*, is a *Form of Speech, added to a Promiſe; by which he that promiſeth, ſignifieth, that unleſs he perform, he renounceth the Mercy of his God, or calleth to him for Vengeance on himſelf.* Such was the Heathen Form, *Let* Jupiter *kill me elſe, as I kill this Beaſt.* So is our Form, *I ſhall do thus, and thus, ſo help me God.* And this, with the Rites and Ceremonies, which every one uſeth in his own Religion, that the Fear of breaking Faith might be the greater.

The Form of an Oath.

By this it appears, that an Oath taken according to any other Form or Rite, than his that ſweareth, is in vain; and no Oath: And that there is no Swearing by any thing which the Swearer thinks not God. For though Men have ſometimes uſed to ſwear by their Kings, for Fear, or Flattery; yet they would have it thereby underſtood, they attributed to them divine Honour. And that Swearing unneceſſary by God, is but prophaning of his Name: and Swearing by other Things, as Men do in common Diſcourſe, is not Swearing, but an impious Cuſtom, gotten by two much Vehemence of Talking.

No Oath, but by God.

It appears alſo, that the Oath adds nothing to the Obligation. For a Covenant, if lawful, binds in the Sight of God, without the Oath as much as with it: if unlawful, bindeth not at all; though it be confirmed with an Oath.

An Oath adds nothing to the Obligation.

CHAP. XV.

Of other Laws of Nature.

FROM that Law of Nature, by which we are obliged to transfer to another ſuch Rights, as being retained, hinder the Peace of Mankind, there followeth a third; which is this, *That Men perform their Covenants made:* without which, Covenants are in vain, and but empty Words; and the Right of all Men to all Things remaining, we are ſtill in the Condition of War.

The third Law of Nature, Juſtice.

And in this Law of Nature conſiſteth the Fountain and Original of *Juſtice*. For where no Covenant hath preceded, there hath no Right been transferred, and every Man has Right to every Thing; and conſequently

Juſtice and Injuſtice, what.

ſequently no Action can be unjuſt. But when a Covenant is made, then to break it is *unjuſt:* And the Definition of *Injuſtice*, is no other than *the not Performance of Covenant*. And whatſoever is not unjuſt, is *juſt*.

Juſtice and Propriety begin with the Conſtitution of Commonwealth.

But becauſe Covenants of mutual Truſt, where there is a Fear of not Performance on either Part, (as hath been ſaid in the former Chapter) are invalid; though the Original of Juſtice be the making of Covenants; yet Injuſtice actually there can be none, till the Cauſe of ſuch Fear be taken away; which while Men are in the natural Condition of War, cannot be done. Therefore before the Names of juſt and unjuſt can have Place, there muſt be ſome coercive Power, to compel Men equally to the Performance of their Covenants, by the Terror of ſome Puniſhment, greater than the Benefit they expect by the Breach of their Covenant; and to make good that Propriety, which by mutual Contract Men acquire, in Recompence of the univerſal Right they abandon: and ſuch Power there is none before the Erection of a Commonwealth. And this is alſo to be gathered out of the ordinary Definition of Juſtice in the Schools: For they ſay, that *Juſtice is the conſtant Will of giving to every Man his own*. And therefore where there is no *own*, that is, no Propriety, there is no Injuſtice; and where there is no coercive Power erected, that is, where there is no Commonwealth, there is no Propriety; all Men having Right to all Things: Therefore where there is no Commonwealth, there nothing is unjuſt. So that the Nature of Juſtice, conſiſteth in keeping of valid Covenants: but the Validity of Covenants begins not but with the Conſtitution of a Civil Power, ſufficient to compel Men to keep them: And then it is alſo that Propriety begins.

Juſtice not contrary to Reaſon.

The Fool hath ſaid in his Heart, there is no ſuch Thing as Juſtice; and ſometimes alſo with his Tongue; ſeriouſly alledging, that every Man's Converſation and Contentment, being committed to his own Care, there could be no Reaſon, why every Man might not do what he thought conduced thereunto: and therefore alſo to make or not make; keep, or not keep Covenants, was not againſt Reaſon, when it conduced to one's Benefit. He does not therein deny, that there be Covenants; and that they are ſometimes broken, ſometimes kept; and that ſuch Breach of them may be called Injuſtice, and the Obſervance of them Juſtice: but he queſtioneth, whether Injuſtice, taking away the Fear of God, (for the ſame Fool hath ſaid in his Heart there is no God) may not ſometimes ſtand with that Reaſon, which dictateth to every Man his own Good; and particularly then, when it conduceth to ſuch a Benefit, as ſhall put a Man in a Condition to neglect not only the Diſpraiſe and Revilings, but alſo the Power of other Men. The Kingdom of God is gotten by Violence: but what if it could be gotten by unjuſt Violence? were it againſt Reaſon ſo to get it, when it is impoſſible to receive Hurt by it? and if it be not againſt Reaſon, it is not againſt Juſtice: or elſe Juſtice is not to be approved for Good. From ſuch Reaſoning as this, ſucceſsful Wickedneſs hath obtained the Name of Virtue: and ſome that in all other Things have diſallowed the Violation of Faith; yet have allowed it, when it is for the getting of a Kingdom. And the Heathen that believed, that *Saturn* was depoſed by his Son *Jupiter*, believed nevertheleſs the ſame *Jupiter* to be the Avenger of Injuſtice: Somewhat like to a Piece of Law in *Coke*'s Commentaries on *Littleton*; where he ſays, If the right Heir of the Crown be attainted of Treaſon; yet the Crown ſhall deſcend to him, and *eo inſtante* the Attainder be void: From which Inſtances a Man will be very prone to infer; that when the Heir apparent of a Kingdom ſhall kill him that is in

Poſſeſſion,

Poſſeſſion, though his Father; you may call it Injuſtice, or by what other Name you will; yet it can never be againſt Reaſon, ſeeing all the voluntary Actions of Men tend to the Benefit of themſelves; and thoſe Actions are moſt reaſonable, that conduce moſt to their Ends. This ſpecious Reaſoning is nevertheleſs falſe.

For the Queſtion is not of Promiſes mutual, where there is no Security of Performance on either Side; as when there is no Civil Power erected over the Parties promiſing; for ſuch Promiſes are no Covenants: But either where one of the Parties has performed already; or where there is a Power to make him perform; there is the Queſtion, whether it be againſt Reaſon, that is, againſt the Benefit of the other to perform, or not. And I ſay it is not againſt Reaſon. For the Manifeſtation whereof, we are to conſider; Firſt, that when a Man doth a Thing, which notwithſtanding any Thing that can be foreſeen, and reckoned on, tendeth to his own Deſtruction, howſoever ſome Accident which he could not expect, arriving, may turn it to his Benefit; yet ſuch Events do not make it reaſonably or wiſely done. Secondly, that in a Condition of War, wherein every Man to every Man, for Want of a common Power to keep them all in Awe, is an Enemy, there is no Man can hope by his own Strength, or Wit, to defend himſelf from Deſtruction, without the Help of Confederates; where every one expects the ſame Defence by the Confederation, that any one elſe does: and therefore he which declares he thinks it Reaſon to deceive thoſe that help him, can in Reaſon expect no other Means of Safety, than what can be had from his own ſingle Power. He therefore that breaketh his Covenant, and conſequently declareth that he thinks he may with Reaſon do ſo, cannot be received into any Society, that unite themſelves for Peace and Defence, but by the Error of them that receive him; nor when he is received, be retained in it, without ſeeing the Danger of their Error; which Errors a Man cannot reaſonably reckon upon as the Means of his Security: and therefore if he be left, or caſt out of Society, he periſheth; and if he live in Society, it is by the Errors of other Men, which he could not foreſee, nor reckon upon; and conſequently againſt the Reaſon of his Preſervation; and ſo, as all Men that contribute not to his Deſtruction, forbear him only out of Ignorance of what is good for themſelves.

As for the Inſtance of gaining the ſecure and perpetual Felicity of Heaven, by any Way; it is frivolous: there being but one Way imaginable; and that is not breaking, but keeping of Covenant.

And for the other Inſtance of attaining Sovereignty by Rebellion; it is manifeſt, that though the Event follow, yet becauſe it cannot reaſonably be expected, but rather the contrary; and becauſe by gaining it ſo, others are taught to gain the ſame in like Manner, the Attempt thereof is againſt Reaſon. Juſtice therefore, that is to ſay, keeping of Covenant, is a Rule of Reaſon, by which we are forbidden to do any Thing deſtructive to our Life; and conſequently a Law of Nature.

There be ſome that proceed further; and will not have the Law of Nature, to be thoſe Rules which conduce to the Preſervation of Man's Life on Earth; but to the attaining of an eternal Felicity after Death; to which they think the Breach of Covenant may conduce; and conſequently be juſt and reaſonable; (ſuch are they that think it a Work of merit to kill, or depoſe, or rebel againſt the Sovereign Power conſtituted over them by their own Conſent.) But becauſe there is no natural Knowledge of Man's Eſtate after Death; much leſs of the Reward

ward that is then to be given to Breach of Faith; but only a Belief, grounded upon other Men's ſaying, that they know it ſupernaturally, or that they know thoſe, that knew them, that knew others, that knew it ſupernaturally; Breach of Faith cannot be called a Precept of Reaſon or Nature.

Covenants not diſcharged by the Vice of the Perſon to whom they are made.

Others, that allow for a Law of Nature the keeping of Faith, do nevertheleſs make Exception of certain Perſons; as Heretics, and ſuch as uſe not to perform their Covenant to others: And this alſo is againſt Reaſon. For if any Fault of a Man be ſufficient to diſcharge our Covenant made, the ſame ought in Reaſon to have been ſufficient to have hindered the making of it.

Juſtice of Men, and Injuſtice of Actions, what.

The Names of Juſt and Unjuſt, when they are attributed to Men, ſignify one Thing; and when they are attributed to Actions, another. When they are attributed to Men, they ſignify Conformity or Inconformity of Manners to Reaſon. But when they are attributed to Actions, they ſignify the Conformity or Inconformity to Reaſon, not of Manners, or Manner of Life, but of particular Actions. A juſt Man therefore, is he that taketh all the Care he can that his Actions may be all juſt; and an unjuſt Man is he that neglecteth it. And ſuch Men are more often in our Language ſtiled by the Names of Righteous and Unrighteous, than Juſt and Unjuſt, though the Meaning be the ſame. Therefore a righteous Man does not loſe that Title by one or a few unjuſt Actions that proceed from ſudden Paſſion, or Miſtake of Things or Perſons; nor does an unrighteous Man loſe his Character for ſuch Actions as he does or forbears to do for Fear; becauſe his Will is not framed by the Juſtice, but by the apparent Benefit of what he is to do. That which gives to human Actions the Reliſh of Juſtice, is a certain Nobleneſs or Gallantneſs of Courage (rarely found) by which a Man ſcorns to be beholding for the Contentment of his Life, to Fraud or Breach of Promiſe. This Juſtice of the Manners, is that which is meant, where Juſtice is called a Virtue, and Injuſtice a Vice.

But the Juſtice of Actions denominates Men, not Juſt, but *Guiltleſs*; and the Injuſtice of the ſame (which is alſo called Injury) gives them but the Name of *Guilty*.

Juſtice of Manners, and Juſtice of Actions.

Again, the Injuſtice of Manners is the Diſpoſition or Aptitude to do Injury, and is Injuſtice before it proceed to act; and without ſuppoſing any individual Perſon injured. But the Injuſtice of an Action (that is to ſay, Injury) ſuppoſeth an individual Perſon injured; namely, him to whom the Covenant was made: And therefore many times the Injury is received by one Man, when the Damage redoundeth to another. As when the Maſter commandeth his Servant to give Money to a Stranger; if it be not done, the Injury is done to the Maſter, whom he before covenanted to obey; but the Damage redoundeth to the Stranger, to whom he had no Obligation, and therefore could not injure him. And ſo alſo in Commonwealths, private Men remit to one another their Debts, but not Robberies or other Violences whereby they are endamaged; becauſe the detaining of Debt is an Injury to themſelves; but Robbery and Violence are Injuries to the Perſon of the Commonwealth.

Nothing done to a Man by his own Conſent can be Injury.

Whatſoever is done to a Man, conformable to his own Will, ſignified to the Doer, is no Injury to him. For if he that doeth it, hath not paſſed away his original Right to do what he pleaſe, by ſome antecedent Covenant, there is no Breach of Covenant; and therefore no Injury done him. And if he have; then his Will to have it done being ſignified, is a Releaſe of that Covenant; and ſo again there is no Injury done him.

Juſtice, Commutative and Diſtributive.

Juſtice of Actions, is by Writers divided into *Commutative* and *Diſtributive*; and the former they ſay conſiſteth in Proportion Arithmetical; the latter in Proportion Geometrical. Commutative therefore, they place in the Equality of Value of the Things contracted for; and Diſtributive, in the Diſtribution of equal Benefit to Men of equal Merit. As if it were Injuſtice to ſell dearer than we buy, or give more to a Man than he merits. The Value of all things contracted for, is meaſured by the Appetite of the Contractors; and therefore the juſt Value is that which they be contented to give. And Merit (beſides that which is by Covenant where the Performance on one Part meriteth the Performance of the other Part, and falls under Juſtice commutative, not diſtributive) is not due by Juſtice, but is rewarded by Grace only. And therefore this Diſtinction, in the Senſe wherein it uſeth to be expounded, is not right. To ſpeak properly, Commutative Juſtice is the Juſtice of a Contractor; that is, a Performance of Covenant in Buying and Selling, Hiring and letting to Hire, Lending and Borrowing, Exchanging, Bartering, and other Acts of Contract.

And Diſtributive Juſtice, the Juſtice of an Arbitrator; that is to ſay, the Act of defining what is juſt. Wherein (being truſted by them that make him Arbitrator) if he perform his Truſt, he is ſaid to diſtribute to every Man his own: And this is indeed juſt Diſtribution, and may be called (though improperly) Diſtributive Juſtice, but more properly Equity; which is alſo a Law of Nature, as ſhall be ſhewn in due Place.

The fourth Law of Nature, Gratitude.

As Juſtice dependeth on antecedent Covenant, ſo does *Gratitude* depend on antecedent Grace, that is to ſay, antecedent Free-gift; and is the fourth Law of Nature; which may be conceived in this Form, *That a Man which receiveth a Benefit from another of mere Grace, endeavour that he which giveth it, have no reaſonable Cauſe to repent him of his good Will.* For no Man giveth, but with Intention of Good to himſelf, becauſe Gift is voluntary, and of all voluntary Acts the Object is to every Man his own Good; of which if Men ſee they ſhall be fruſtrated, there will be no Beginning of Benevolence or Truſt, nor conſequently of mutual Help, nor of Reconciliation of one Man to another; and therefore they are to remain ſtill in the Condition of *War*; which is contrary to the firſt and fundamental Law of Nature, which commandeth Men to *ſeek Peace*. The Breach of this Law is called *Ingratitude*; and hath the ſame Relation to Grace, that Injuſtice hath to Obligation by Covenant.

The fifth, Mutual Accommodation, or Complaiſance.

A fifth Law of Nature is *Complaiſance*; that is to ſay, *That every Man ſtrive to accommodate himſelf to the reſt.* For the underſtanding whereof, we may conſider, that there is in Men's Aptneſs to Society, a Diverſity of Nature, ariſing from their Diverſity of Affections; not unlike to that we ſee in Stones brought together for building of an Edifice. For as that Stone, which by the Aſperity and Irregularity of Figure takes more Room from others than itſelf fills, and for the Hardneſs cannot eaſily be made plain, and thereby hindereth the Building, is by the Builders caſt away as unprofitable and troubleſome; ſo alſo a Man, that by Aſperity of Nature will ſtrive to retain thoſe Things which to himſelf are ſuperfluous, and to others neceſſary, and for the Stubbornneſs of his Paſſions cannot be corrected, is to be left, or caſt out of Society, as cumberſome thereunto. For ſeeing every Man, not only by Right, but alſo by Neceſſity of Nature, is ſuppoſed to endeavour all he can to obtain that which is neceſſary for his Conſervation; he that ſhall oppoſe himſelf againſt it for Things ſuperfluous, is guilty of the War that thereupon is to follow; and therefore doth that which is contrary to the fundamental Law of Nature, which commandeth *to ſeek Peace*. The Obſervers of this Law may be called *Sociable*, (the *Latins* call them *Commodi*;) the contrary, *Stubborn*, *Inſociable*, *Froward*, *Intractable*.

The ſixth, Facility to Pardon.

A ſixth Law of Nature is this, *That upon Caution of the future Time, a Man ought to pardon the Offences paſt of them that, repenting, deſire it.* For *Pardon* is nothing but granting of Peace; which though granted to them that perſevere in their Hoſtility, be not Peace, but Fear; yet not granted to them that give Caution of the future Time, is Sign of an Averſion to Peace; and therefore contrary to the Law of Nature.

The ſeventh, that in Revenges, Men reſpect only the future Good.

A ſeventh is, *That in Revenges*, (that is, Retribution of Evil for Evil) *Men look not at the Greatneſs of the Evil paſt, but the Greatneſs of the Good to follow.* Whereby we are forbidden to inflict Puniſhment with any other Deſign, than for Correction of the Offender, or Direction of others. For this Law is conſequent to the next before it, that commandeth Pardon, upon Security of the future Time. Beſides, Revenge without Reſpect to the Example and Profit to come, is a Triumph or Glorying in the Hurt of another, tending to no End; (for the Evil is always ſomewhat to come;) and Glorying to no End is Vain-glory, and contrary to Reaſon; and to hurt without Reaſon, tendeth to the Introduction of War; which is againſt the Law of Nature; and is commonly ſtiled by the Name of *Cruelty*.

The eighth, againſt Contumely.

And becauſe all Signs of Hatred or Contempt, provoke to fight; inſomuch as moſt Men chuſe rather to hazard their Life, than not to be revenged; we may in the eighth Place, for a Law of Nature ſet down this Precept, *That no Man by Deed, Word, Countenance, or Geſture, declare Hatred, or Contempt of another.* The Breach of which Law, is commonly called *Contumely*.

The ninth, againſt Pride.

The Queſtion who is the better Man, has no Place in the Condition of mere Nature; where, (as has been ſhewn before) all Men are equal. The Inequality that now is, has been introduced by the Laws civil. I know that *Ariſtotle* in the firſt Book of his Politics, for a Foundation of his Doctrine, maketh Men by Nature, ſome more worthy to command, meaning the wiſer Sort (ſuch as he thought himſelf to be for his Philoſophy;) others to ſerve, (meaning thoſe that had ſtrong Bodies, but were not Philoſophers as he;) as if Maſter and Servant were not introduced by Conſent of Men, but by Difference of Wit: which is not only againſt Reaſon, but alſo againſt Experience. For there are very few ſo fooliſh, that had not rather govern themſelves, than be governed by others: Nor when the wiſe in their own Conceit, contend by Force, with them who diſtruſt their own Wiſdom, do they always, or often, or almoſt at any Time, get the Victory. If Nature therefore have made Men equal, that Equality is to be acknowledged: or if Nature have made Men unequal; yet becauſe Men that think themſelves equal, will not enter into Conditions of Peace, but upon equal Terms, ſuch Equality muſt be admitted. And therefore for the ninth Law of Nature, I put this, *That every Man acknowledge other for his Equal by Nature.* The Breach of this Precept is *Pride*.

The tenth, againſt Arrogance.

On this Law, dependeth another, *That at the Entrance into Conditions of Peace, no Man require to reſerve to himſelf any Right, which he is not content ſhould be reſerved to every one of the reſt.* As it is neceſſary for all Men that ſeek Peace, to lay down certain Rights of Nature; that is to ſay, not to have Liberty to do all they liſt: ſo is it neceſſary for Man's Life to retain ſome; as Right to govern their own Bodies; enjoy Air, Water, Motion, Ways to go from Place to Place; and all Things elſe without which a Man cannot live, or not live well. If in this

this Caſe, at the making of Peace, Men require for themſelves, that which they would not have to be granted to others, they do contrary to the precedent Law, that commandeth the Acknowledgment of natural Equality, and therefore alſo againſt the Law of Nature. The Obſervers of this Law, are thoſe we call *modeſt*, and the Breakers *arrogant* Men. The *Greeks* call the Violation of this Law πλεονεξία; that is, a Deſire of more than their Share.

The eleventh, Equity.

Alſo if *a Man be truſted to judge between Man and Man*, it is a Precept of the Law of Nature, *that he deal equally between them*. For without that, the Controverſies of Men cannot be determined but by War. He therefore that is partial in Judgment, doth what in him lies, to deter Men from the Uſe of Judges and Arbitrators; and conſequently, (againſt the fundamental Law of Nature) is the Cauſe of War.

The Obſervance of this Law, from the equal Diſtribution to each Man, of that which in Reaſon belongeth to him, is called *Equity*, and (as I have ſaid before) diſtributive Juſtice: the Violation, *Acception of Perſons*, προσωποληψία.

The twelfth, equal Uſe of Things common.

And from this followeth another Law, *That ſuch Things as cannot be divided, be enjoyed in common, if it can be; and, if the Quantity of the Thing permit, without Stint; otherwiſe proportionably to the Number of them that have Right.* For otherwiſe the Diſtribution is unequal, and contrary to Equity.

The thirteenth, of Lot.

But ſome Things there be, that can neither be divided, nor enjoyed in common. Then, the Law of Nature, which preſcribeth Equity, requireth, *That the entire Right, or elſe, (making the Uſe alternate,) the firſt Poſſeſſion, be determined by Lot.* For equal Diſtribution is of the Law of Nature; and other Means of equal Diſtribution cannot be imagined.

The fourteenth, of Primogeniture, and firſt Seiſing.

Of *Lots* there be two Sorts, *arbitrary* and *natural*. Arbitrary, is that which is agreed on by the Competitors: Natural, is either *Primogeniture*, (which the *Greek* calls Κληρονομία, which ſignifies, *given by Lot*;) or *firſt Seiſure*.

And therefore thoſe Things which cannot be enjoyed in common, nor divided, ought to be adjudged to the firſt Poſſeſſor; and in ſome Caſes to the firſt-born, as acquired by Lot.

The fifteenth, of Mediators.

It is alſo a Law of Nature, *That all Men that mediate Peace, be allowed ſafe Conduct.* For the Law that commandeth Peace, as the *End*, commandeth Interceſſion, as the *Means*; and to Interceſſion the Means is ſafe Conduct.

The ſixteenth, of Submiſſion to Arbitrement.

And becauſe, though Men be never ſo willing to obſerve theſe Laws, there may nevertheleſs ariſe Queſtions concerning a Man's Action; Firſt, whether it be done, or not done; Secondly, (if done) whether againſt the Law, or not againſt the Law; the former whereof is called a Queſtion *of Fact*; the latter a Queſtion *of Right*; therefore unleſs the Parties to the Queſtion covenant mutually to ſtand to the Sentence of another, they are as far from Peace as ever. This other, to whoſe Sentence they ſubmit, is called an *Arbitrator*. And therefore it is of the Law of Nature, *That they that are at Controverſy, ſubmit their Right to the Judgment of an Arbitrator.*

The ſeventeenth, no Man is his own Judge.

And ſeeing every Man is preſumed to do all Things in order to his own Benefit, no Man is a fit Arbitrator in his own Cauſe: and if he were never ſo fit; yet Equity allowing to each Party equal Benefit, if one be admitted to be Judge, the other is to be admitted alſo; and ſo the Controverſy, that is, the Cauſe of War, remains, againſt the Law of Nature.

For

The eighteenth, no Man to be Judge, that has in him a natural Cauſe of Partiality.

For the ſame Reaſon no Man in any Cauſe ought to be received for Arbitrator, to whom greater Profit, or Honour, or Pleaſure apparently ariſeth out of the Victory of one Party, than of the other: for he hath taken (though an unavoidable Bribe, yet) a Bribe; and no Man can be obliged to truſt him. And thus alſo the Controverſy, and the Condition of War remaineth, contrary to the Law of Nature.

The nineteenth, of Witneſſes.

And in a Controverſy of *Fact*, the Judge being to give no more Credit to one, than to the other, (if there be no other Arguments) muſt give Credit to a third; or to a third and fourth; or more: For elſe the Queſtion is undecided, and left to Force, contrary to the Law of Nature.

Theſe are the Laws of Nature, dictating Peace, for a Means of the Conſervation of Men in Multitudes; and which only concern the Doctrine of Civil Society. There be other Things tending to the Deſtruction of particular Men; as Drunkenneſs, and all other Parts of Intemperance; which may therefore alſo be reckoned amongſt thoſe Things which the Law of Nature hath forbidden; but are not neceſſary to be mentioned, nor are pertinent enough to this Place.

A Rule, by which the Laws of Nature may eaſily be examined.

And though this may ſeem too ſubtle a Deduction of the Laws of Nature, to be taken notice of by all Men; whereof the moſt Part are too buſy in getting Food, and the reſt too negligent to underſtand; yet to leave all Men inexcuſable, they have been contracted into one eaſy Sum, intelligible, even to the meaneſt Capacity; and that is, *Do not that to another, which thou wouldſt not have done to thyſelf*; which ſheweth him, that he has no more to do in learning the Laws of Nature, but, when weighing the Actions of other Men with his own, they ſeem too heavy, to put them into the other Part of the Ballance, and his own into their Place, that his own Paſſions and Self-love may add nothing to the Weight; and then there is none of theſe Laws of Nature that will not appear unto him very reaſonable.

The Laws of Nature oblige in Conſcience always, but in Effect then only when there is Security.

The Laws of Nature oblige *in foro interno*, that is to ſay, they bind to a Deſire they ſhould take Place: but *in foro externo*, that is, to the putting them in Act, not always. For he that ſhould be modeſt and tractable, and perform all he promiſes, in ſuch Time, and Place, where no Man elſe would do ſo, would but make himſelf a Prey to others, and procure his own Ruin, contrary to the Ground of all Laws of Nature, which tend to Nature's Preſervation. And again, he that having ſufficient Security, that others ſhall obſerve the ſame Laws towards him, obſerves them not himſelf, ſeeketh not Peace, but War; and conſequently the Deſtruction of his Nature by Violence.

And whatſoever Laws bind *in foro interno*, may be broken, not only by a Fact contrary to the Law, but alſo by a Fact according to it, in Caſe a Man think it contrary. For though his Action in this Caſe be according to the Law, yet his Purpoſe was againſt the Law; which, where the Obligation is *in foro interno*, is a Breach.

The Laws of Nature are eternal.

The Laws of Nature are immutable and eternal; for Injuſtice, Ingratitude, Arrogance, Pride, Iniquity, Acception of Perſons, and the reſt, can never be made lawful. For it can never be that War ſhall preſerve Life, and Peace deſtroy it.

And yet eaſy.

The ſame Laws, becauſe they oblige only to a Deſire and Endeavour, I mean an unfeigned and conſtant Endeavour, are eaſy to be obſerved. For in that they require nothing but Endeavour, he that endeavoureth their Performance fulfilleth them; and he that fulfilleth the Law, is juſt.

And the Science of them is the true and only Moral Philoſophy. For Moral Philoſophy is nothing elſe but the Science of what is *Good* and *Evil*, in the Converſation and Society of Mankind. *Good* and *Evil* are Names that ſignify our Appetites and Averſions; which in different Tempers, Cuſtoms, and Doctrines of Men, are different: And divers Men differ not only in their Judgment, on the Senſes of what is pleaſant and unpleaſant to the Taſte, Smell, Hearing, Touch, and Sight; but alſo of what is conformable or diſagreeable to Reaſon, in the Actions of common Life. Nay, the ſame Man, in divers times, differs from himſelf; and one time praiſeth, that is, calleth Good, what another time he diſpraiſeth, and calleth Evil: From whence ariſe Diſputes, Controverſies, and at laſt War. And therefore ſo long a Man is in the Condition of mere Nature (which is a Condition of War) as private Appetite is the Meaſure of Good and Evil: And conſequently all Men agree in this, that Peace is Good, and therefore alſo, that the Ways or Means of Peace, which (as I have ſhewed before) are *Juſtice*, *Gratitude*, *Modeſty*, *Equity*, *Mercy*, and the reſt of the Laws of Nature, are Good; that is to ſay, *Moral Virtues*; and their contrary *Vices*, Evil. Now the Science of Virtue and Vice is Moral Philoſophy; and therefore the true Doctrine of the Laws of Nature is the true Moral Philoſophy. But the Writers of Moral Philoſophy, though they acknowledge the ſame Virtues and Vices, yet not ſeeing wherein conſiſted their Goodneſs, nor that they come to be praiſed as the Means of peaceable, ſociable, and comfortable Living, place them in a Mediocrity of Paſſions; as if not the Cauſe, but the Degree of Daring, made Fortitude; or not the Cauſe, but the Quantity of a Gift, made Liberality.

The Science of theſe Laws is the true Moral Philoſophy.

Theſe Dictates of Reaſon Men uſe to call by the Name of Laws, but improperly; for they are but Concluſions or Theorems concerning what conduceth to the Conſervation and Defence of themſelves; whereas Law properly is the Word of him, that by Right hath Command over others. But yet, if we conſider the ſame Theorems, as delivered in the Word of God, that by Right commandeth all things; then are they properly called Laws.

CHAP. XVI.

Of PERSONS, AUTHORS, and *Things perſonated.*

A *Perſon is he, whoſe Words or Actions are conſidered, either as his own, or as repreſenting the Words or Actions of another Man, or of any other Thing to whom they are attributed, whether truly or by Fiction.*

A Perſon, what.

When they are conſidered as his own, then is he called a *Natural Perſon*: And when they are conſidered as repreſenting the Words and Actions of another, then is he a *feigned* or *artificial Perſon*.

Perſon Natural and Artificial.

The Word Perſon is *Latin*; inſtead whereof the *Greeks* have πρόσωπον which ſignifies the *Face*, as *Perſona* in *Latin* ſignifies the *Diſguiſe*, or *outward Appearance* of a Man counterfeited on the Stage; and ſometimes more particularly that Part of it, which diſguiſeth the Face, as a Maſk or Vizard; and from the Stage it hath been tranſlated to any Repreſenter of Speech and Action, as well in Tribunals as Theatres. So that a *Perſon* is the ſame that an *Actor* is, both on the Stage, and in

The Word Perſon, whence.

common Converſation; and to *perſonate*, is to *act* or *repreſent* himſelf or another; and he that acteth another, is ſaid to bear his Perſon, or act in his Name; (in which Senſe *Cicero* uſeth it, where he ſays, *Unus ſuſtineo tres Perſonas; Mei, Adverſarii, & Judicis:* I bear three Perſons; my own, my Adverſaries, and the Judges;) and is called in diverſe Occaſions, diverſly; as a *Repreſenter*, or *Repreſentative*, a *Lieutenant*, a *Vicar*, an *Attorney*, a *Deputy*, a *Procurator*, an *Actor*, and the like.

Actor.

Author.

Of Perſons artificial, ſome have their Words and Actions *owned* by thoſe whom they repreſent. And then the Perſon is the *Actor*; and he that owneth his Words and Actions, is the *Author:* In which Caſe the Actor acteth by Authority. For that which in ſpeaking of Goods and Poſſeſſions, is called an *Owner*, and in *Latin Dominus*, in *Greek* κύριος; ſpeaking of Actions, is called Author. And as the Right of Poſſeſſion, is called Dominion; ſo the Right of doing any Action, is called *Authority.* So that by Authority, is always underſtood a Right of doing any Act: and *done by Authority*, done by Commiſſion, or Licence from him whoſe Right it is.

Authority.

Covenants by Authority, bind the Author.

From hence it followeth, that when the Actor maketh a Covenant by Authority, he bindeth thereby the Author, no leſs than if he had made it himſelf; and no leſs ſubjecteth him to all the Conſequences of the ſame. And therefore all that hath been ſaid formerly, (Chap. XIV.) of the Nature of Covenants between Man and Man in their natural Capacity, is true alſo when they are made by their Actors, Repreſenters, or Procurators, that have Authority from them, ſo far-forth as is in their Commiſſion, but no farther.

And therefore he that maketh a Covenant with the Actor, or Repreſenter, not knowing the Authority he hath, doth it at his own Peril. For no Man is obliged by a Covenant, whereof he is not Author; nor conſequently by a Covenant made againſt, or beſide the Authority he gave.

But not the Actor.

When the Actor doth any Thing againſt the Law of Nature by Command of the Author, if he be obliged by former Covenant to obey him, not he, but the Author breaketh the Law of Nature: for though the Action be againſt the Law of Nature; yet it is not his: but contrarily, to refuſe to do it is againſt the Law of Nature, that forbiddeth Breach of Covenant.

The Authority is to be ſhewn.

And he that maketh a Covenant with the Author, by Mediation of the Actor, not knowing what Authority he hath, but only takes his Word; in Caſe ſuch Authority be made not manifeſt unto him upon Demand, he is no longer obliged: For the Covenant made with the Author is not valid, without his Counter-aſſurance. But if he that ſo covenanteth, knew beforehand he was to expect no other Aſſurance, than the Actor's Word, then is the Covenant valid; becauſe the Actor in this Caſe maketh himſelf the Author. And therefore, as when the Authority is evident, the Covenant obligeth the Author, not the Actor; ſo when the Authoriry is feigned, it obligeth the Actor only; there being no Author but himſelf.

Things perſonated, Inanimate.

There are few Things, that are uncapable of being repreſented by Fiction. Inanimate Things, as a Church, an Hoſpital, a Bridge, may be perſonated by a Rector, Maſter, or Overſeer. But Things inanimate, cannot be Authors, nor therefore give Authority to their Actors: Yet the Actors may have Authority to procure their Maintenance, given them by thoſe that are Owners, or Governors of thoſe Things. And therefore ſuch Things cannot be perſonated, before there be ſome State of Civil Government.

Irrational.

Likewiſe Children, Fools, and Madmen that have no Uſe of Reaſon, may be perſonated by Guardians or Curators; but can be no Authors (during that Time) of any Action done by them, longer than (when they ſhall recover the Uſe of Reaſon) they ſhall judge the ſame reaſonable. Yet during the Folly, he that hath Right of governing them, may give Authority to the Guardian. But this again has no Place but in a State Civil, becauſe before ſuch Eſtate, there is no Dominion of Perſons.

False Gods.

An Idol, or mere Figment of the Brain, may be perſonated; as were the Gods of the Heathen; which by ſuch Officers as the State appointed, were perſonated, and held Poſſeſſions, and other Goods, and Rights, which Men from time to time dedicated and conſecrated unto them. But Idols cannot be Authors: for an Idol is nothing. The Authority proceeded from the State: and therefore before Introduction of Civil Government, the Gods of the Heathen could not be perſonated.

The true God.

The true God may be perſonated. As he was; firſt, by *Moſes*, who governed the *Iſraelites*, (that were not his, but God's People) not in his own Name, with *Hoc dicit Moſes*, but in God's Name, with *Hoc dicit Dominus*. Secondly, by the Son of Man, his own Son, our Bleſſed Saviour *Jeſus Chriſt*, that came to reduce the *Jews*, and induce all Nations into the Kingdom of his Father; not as of himſelf, but as ſent from his Father. And thirdly, by the Holy Ghoſt, or Comforter, ſpeaking and working in the Apoſtles: which Holy Ghoſt, was a Comforter that came not of himſelf; but was ſent, and proceeded from them both.

A Multitude of Men, how one Perſon.

A Multitude of Men are made *one* Perſon, when they are by one Man, or one Perſon, repreſented; ſo that it be done with the Conſent of every one of that Multitude in particular. For it is the *Unity* of the Repreſenter, not the *Unity* of the Repreſented, that maketh the Perſon *one*. And it is the Repreſenter that beareth the Perſon, and but one Perſon: And *Unity* cannot be otherwiſe underſtood in Multitude.

Every one is Author.

And becauſe the Multitude naturally is not *one*, but *many*; they cannot be underſtood for one, but many Authors, of every Thing their Repreſentative ſaith, or doth in their Name; every Man giving their common Repreſenter Authority from himſelf in particular; and owning all the Actions the Repreſenter doth, in caſe they give him Authority without Stint: Otherwiſe, when they limit him in what, and how far he ſhall repreſent them, none of them owneth more, than they gave him Commiſſion to act.

An Actor may be many Men made one by Plurality of Voices.

And if the Repreſentative conſiſt of many Men, the Voicc of the greater Number muſt be conſidered as the Voice of them all. For if the leſſer Number pronounce (for Example) in the Affirmative, and the greater in the Negative, there will be Negatives more than enough to deſtroy the Affirmatives; and thereby the Exceſs of Negatives, ſtanding uncontradicted, are the only Voice the Repreſentative hath.

Repreſentatives, when the Number is even, unprofitable.

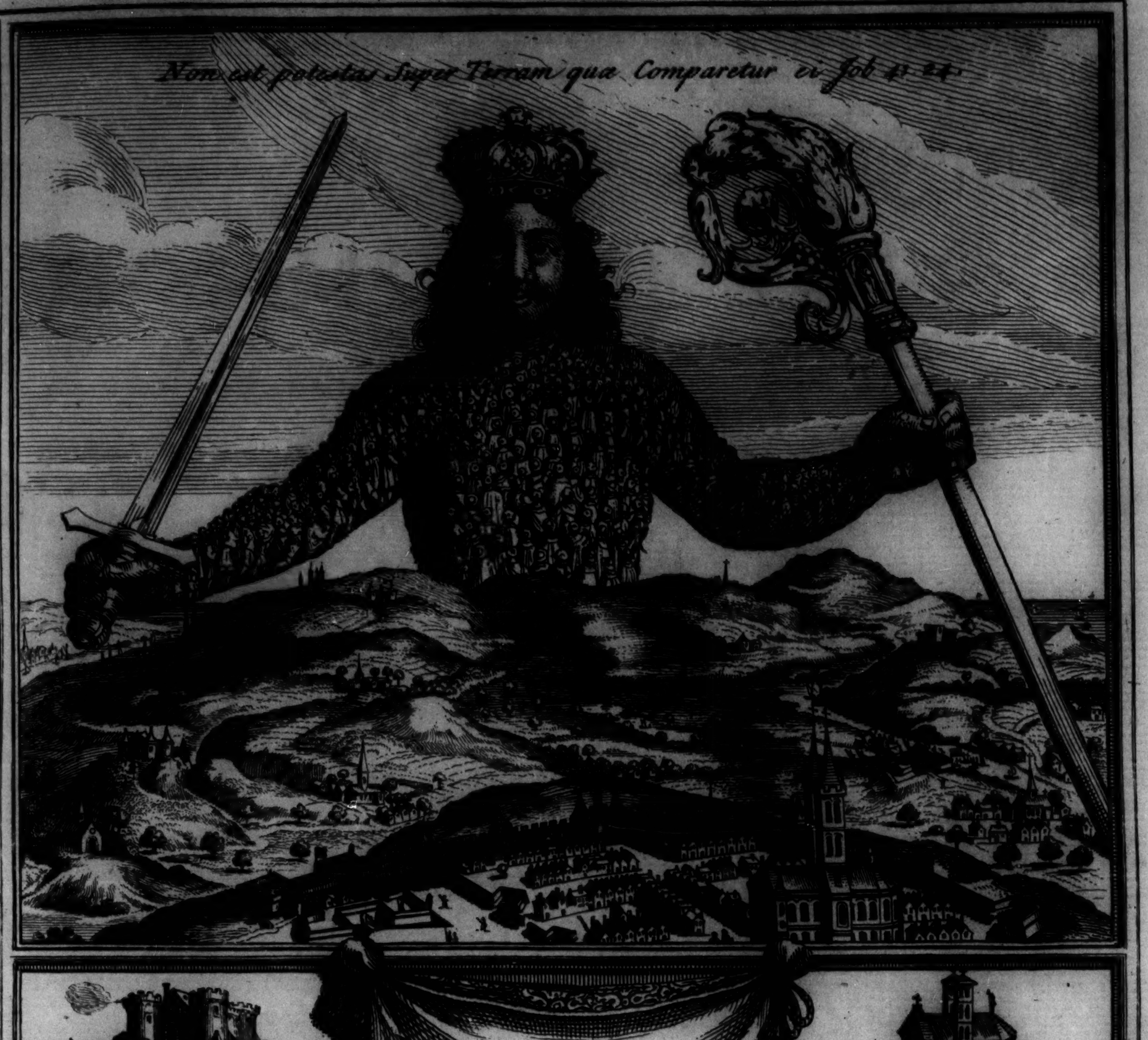
And a Repreſentative of even Number, eſpecially when the Number is not great, whereby the contradictory Voices are oftentimes equal, is therefore oftentimes mute, and incapable of Action. Yet in ſome Caſes contradictory Voices equal in Number, may determine a Queſtion; as in condemning or abſolving, Equality of Votes, even in that they condemn not, do abſolve; but not on the contrary condemn, in that they abſolve not. For when a Cauſe is heard; not to condemn is to abſolve: but on the contrary, to ſay that not abſolving is condemning, is not true. The like it is in Deliberation of executing preſently, or deferring till another Time: For when the Voices are equal, the not decreeing Execution, is a Decree of Dilation.

Negative Voice.

Or if the Number be odd, as three or more, (Men, or Aſſemblies;) whereof every one has by a Negative Voice, Authority to take away the Effect of all the Affirmative Voices of the reſt, this Number is no Repreſentative; becauſe by the Diverſity of Opinions and Intereſts of Men, it becomes oftentimes, and in Caſes of the greateſt Conſequence, a mute Perſon, and unapt, as for many Things elſe, ſo for the Government of a Multitude, eſpecially in Time of War.

Of Authors there be two Sorts. The firſt ſimply ſo called; which I have before defined to be him, that owneth the Action of another ſimply. The ſecond is he, that owneth an Action, or Covenant of another conditionally; that is to ſay, he undertaketh to do it, if the other doth it not, at or before a certain Time. And theſe Authors conditional, are generally called *Sureties*, in *Latin Fidejuſſores*, and *Sponſores*; and particularly for Debt, *Prædes*; and for Appearance before a Judge or Magiſtrate, *Vades*.

OF


Non est potestas Super Terram quæ Comparetur ei Job 41 24
LEVIATHAN
or the
MATTER, FORM
and POWER of
A COMMON WEALTH
ECCLESIASTICAL
and
CIVIL.
Written by
Thos. Hobbs
1651.

The Grenville Library

OF
COMMONWEALTH.

PART II.

CHAP. XVII.

Of the Cauſes, Generation, and Definition of a COMMONWEALTH.

The End of Common-wealth, particular Security.

THE final Cauſe, End, or Deſign of Men, (who naturally love Liberty, and Dominion over others) in the Introduction of that Reſtraint upon themſelves, (in which we ſee them live in Commonwealths) is the Fore-ſight of their own Preſervation, and of a more contented Life thereby; that is to ſay, of getting themſelves out from that miſerable Condition of War, which is neceſſarily conſequent (as hath been ſhewn) to the natural Paſſions of Men, when there is no viſible Power to keep them in Awe, and tye them by Fear of Puniſhment to the Performance of their Covenants, and Obſervation of thoſe Laws of Nature ſet down in the fourteenth and fifteenth Chapters.

Chap. xiii.

Which is not to be had from the Law of Nature.

For the Laws of Nature (as *Juſtice*, *Equity*, *Modeſty*, *Mercy*, and (in ſum) *doing to others as we would be done to)* of themſelves, without the Terror of ſome Power, to cauſe them to be obſerved, are contrary to our natural Paſſions, that carry us to Partiality, Pride, Revenge, and the like. And Covenants without the Sword, are but Words, and of no Strength to ſecure a Man at all. Therefore notwithſtanding the Laws of Nature, (which every one hath then kept, when he has not the Will to break them, tho' he can do it ſafely) if there be no Power erected, or not great enough for our Security; every Man will, and may lawfully rely on his own Strength and Art, for Caution againſt all other Men. And in all Places where Men have lived by ſmall Families, to rob and ſpoil one another, has been a Trade, and ſo far from being reputed againſt the Law of Nature, that the greater Spoils they gained, the greater was their Honour; and Men obſerved no other Laws therein, but the Laws of Honour; that is, to abſtain from Cruelty, leaving to Men their Lives, and Inſtruments of Huſbandry. And as ſmall Families did then, ſo now do Cities and Kingdoms, which are but greater Families, (for their own Security) enlarge their Dominions, upon all Pretences of Danger and Fear of Invaſion, or Aſſiſtance that may be given to Invaders, endeavour as much as they can, to ſubdue or weaken their Neighbours, by open Force, and ſecret Arts, for Want of other Caution, juſtly; and are remembered for it in After-ages with Honour.

Nor from the Conjunction of a few Men or Families.

Nor is it the joining together of a ſmall Number of Men, that gives them this Security; becauſe in ſmall Numbers, ſmall Additions on the one Side or the other, make the Advantage of Strength ſo great, as is ſufficient to carry the Victory; and therefore gives Encouragement to an Invaſion. The Multitude ſufficient to confide in for our Security, is not determined by any certain Number, but by Compariſon with the Enemy we fear; and is then ſufficient, when the Odds of the Enemy is not of ſo viſible and conſpicuous Moment, to determine the Event of War, as to move him to attempt.

Nor from a great Multitude, unleſs directed by one Judgment.

And be there never ſo great a Multitude; yet if their Actions be directed according to their particular Judgments and particular Appetites, they can expect thereby no Defence nor Protection, neither againſt a common Enemy, nor againſt the Injuries of one another. For being diſtracted in Opinions concerning the beſt Uſe and Application of their Strength, they do not help but hinder one another, and reduce their Strength by mutual Oppoſition to nothing; whereby they are eaſily, not only ſubdued by a very few that agree together, but alſo, when there is no common Enemy, they make War upon each other for their particular Intereſts. For if we could ſuppoſe a great Multitude of Men to conſent in the Obſervation of Juſtice, and other Laws of Nature, without a common Power to keep them all in Awe, we might as well ſuppoſe all Mankind to do the ſame: and then there neither would be, nor need to be any Civil Government or Commonwealth at all; becauſe there would be Peace without Subjection.

And that continually.

Nor is it enough for the Security, which Men deſire ſhould laſt all the Time of their Life, that they be governed and directed by one Judgment for a limited Time; as in one Battle, or one War. For tho' they obtain a Victory by their unanimous Endeavour againſt a foreign Enemy; yet afterwards, when either they have no common Enemy, or he that by one Part is held for an Enemy, is by another Part held for a Friend, they muſt needs by the Difference of their Intereſts diſſolve, and fall again into a War amongſt themſelves.

Why certain Creatures without Reaſon or Speech, do nevertheleſs live in Society, without any coercive Power.

It is true, that certain living Creatures, as Bees, and Ants, live ſociably one with another, (which are therefore by *Ariſtotle* numbered amongſt political Creatures) and yet have no other Direction than their particular Judgments and Appetites; nor Speech, whereby one of them can ſignify to another what he thinks expedient for the common Benefit; and therefore ſome Men may perhaps deſire to know, why Mankind cannot do the ſame. To which I anſwer,

Firſt, That Men are continually in Competition for Honour and Dignity, which theſe Creatures are not; and conſequently amongſt Men there ariſeth on that Ground, Envy and Hatred, and finally War; but amongſt theſe not ſo.

Secondly, That amongſt theſe Creatures, the common Good differeth not from the private; and being by Nature inclined to their private, they procure thereby the common Benefit. But Man, whoſe Joy conſiſteth in comparing himſelf with other Men, can reliſh nothing but what is eminent.

Thirdly, That theſe Creatures, having not (as Man) the Uſe of Reaſon, do not ſee, or think they ſee any Fault in the Adminiſtration of their common Buſineſs: whereas amongſt Men, there are very many that think themſelves wiſer and abler to govern the Public better than the reſt; and theſe ſtrive to reform and innovate, one this Way, another that Way; and thereby bring it into Diſtraction and Civil War.

Fourthly, That theſe Creatures, though they have ſome Uſe of Voice, in making known to one another their Deſires and other Affections; yet they want that Art of Words, by which ſome Men can repreſent to others that which is Good, in the Likeneſs of Evil; and Evil in the Likeneſs of Good; and augment or diminiſh the apparent Greatneſs of Good and Evil; diſcontenting Men, and troubling their Peace at their Pleaſure.

Fifthly, Irrational Creatures cannot diſtinguiſh between *Injury* and *Damage*; and therefore as long as they be at Eaſe, they are not offended with their Fellows; whereas Man is then moſt troubleſome when he is moſt at Eaſe: for then it is that he loves to ſhew his Wiſdom, and controul the Actions of them that govern the Commonwealth.

Laſtly, The Agreement of theſe Creatures is natural; that of Men is by Covenant only, which is artificial: and therefore it is no Wonder if there be ſomewhat elſe required (beſides Covenant) to make their Agreement conſtant and laſting; which is a common Power, to keep them in Awe, and to direct their Actions to the common Benefit.

The Generation of a Commonwealth.

The only Way to erect ſuch a common Power, as may be able to defend them from the Invaſion of Foreigners, and the Injuries of one another, and thereby to ſecure them in ſuch Sort, as that by their own Induſtry, and by the Fruits of the Earth, they may nouriſh themſelves and live contentedly; is, to confer all their Power and Strength upon one Man, or upon one Aſſembly of Men, that may reduce all their Wills, by Plurality of Voices, unto one Will: which is as much as to ſay, to appoint one Man, or Aſſembly of Men, to bear their Perſon; and every one to own and acknowledge himſelf to be Author of whatſoever he that ſo beareth their Perſon, ſhall act, or cauſe to be acted, in thoſe Things which concern the common Peace and Safety; and therein to ſubmit their Wills, every one to his Will, and their Judgments to his Judgment. This is more than Conſent or Concord; it is a real Unity of them all, in one and the ſame Perſon, made by Covenant of every Man with every Man, in ſuch a Manner, as if every Man ſhould ſay to every Man, *I authoriſe and give up my Right of governing myſelf, to this Man, or this Aſſembly of Men, on Condition, that thou give up thy Right to him, and authoriſe all his Actions in like Manner.* This done, the Multitude ſo united in one Perſon, is called a *Commonwealth*, in *Latin Civitas*. This is the Generation of that great *Leviathan*, or rather (to ſpeak more reverently) of that *Mortal God*, to which we owe, under the *Immortal God*, our Peace and Defence. For by this Authority, given him by every particular Man in the Commonwealth, he hath the Uſe of ſo much Power and Strength conferred on him, that by Terror thereof he is enabled to form the Wills of them all, to Peace at Home, and mutual Aid againſt their Enemies abroad. And in him conſiſteth the Eſſence of the Commonwealth; which (to define it) is *one Perſon, of whoſe Acts a great Multitude, by mutual Covenant one with another, have made themſelves every one the Author, to the End he may uſe the Strength and Means of them all, as he ſhall think expedient, for their Peace and common Defence.*

The Definition of a Commonwealth.

Sovereign and Subject, what.

And he that carrieth this Perſon, is called *Sovereign*, and ſaid to have *Sovereign Power*; and every one beſides, his *Subject*.

The attaining to this Sovereign Power is by two Ways. One, by natural Force; as when a Man maketh his Children to ſubmit themſelves and their Children to his Government, as being able to deſtroy them if they refuſe; or by War ſubdueth his Enemies to his Will, giving them their Lives on that Condition. The other, is when Men agree amongſt themſelves, to ſubmit to ſome Man, or Aſſembly of Men, voluntarily, on Confidence to be protected by him againſt all others. This latter may be called a Political Commonwealth, or Commonwealth by *Inſtitution*; and the former, a Commonwealth by *Acquiſition*. And firſt, I ſhall ſpeak of a Commonwealth by Inſtitution.

CHAP. XVIII.

Of the RIGHTS *of Sovereigns by Inſtitution.*

The Act of inſtituting a Common-wealth, what.

A *Commonwealth* is ſaid to be *inſtituted*, when a *Multitude* of Men do agree, and *covenant*, *every one with every one*, that to whatſoever *Man*, or *Aſſembly of Men*, ſhall be given by the major Part, the *Right* to *repreſent* the Perſon of them all, (that is to ſay, to be their *Repreſentative*;) every one, as well he that *voted for it*, as he that *voted againſt it*, ſhall *authoriſe* all the Actions and Judgments of that Man, or Aſſembly of Men, in the ſame Manner as if they were his own, to the end, to live peaceably amongſt themſelves, and to be protected againſt other Men.

The Conſequences to ſuch Inſtitution, are 1. The Subjects cannot change the Form of Government.

From this Inſtitution of a Commonwealth are derived all the *Rights* and *Faculties* of him or them, on whom the Sovereign Power is conferred by the Conſent of the People aſſembled.

Firſt, Becauſe they covenant, it is to be underſtood, they are not obliged by former Covenant to any thing repugnant hereunto. And conſequently they that have already inſtituted a Commonwealth, being thereby bound by Covenant to own the Actions and Judgments of one, cannot lawfully make a new Covenant amongſt themſelves, to be obedient to any other, in any thing whatſoever, without his Permiſſion. And therefore, they that are Subjects to a Monarch, cannot without his Leave caſt off Monarchy, and return to the Confuſion of a diſunited Multitude; nor transfer their Perſon from him that beareth it, to another Man, or other Aſſembly of Men: for they are bound, every Man to every Man, to own, and be reputed Author of all, that he that already is their Sovereign, ſhall do, and judge fit to be done: ſo that any one Man diſſenting, all the reſt ſhould break their Covenant made to that Man, which is Injuſtice: and they have alſo every Man given the Sovereignty to him that beareth their Perſon; and therefore if they depoſe him, they take from him that which is his own, and ſo again it is Injuſtice. Beſides, if he that attempteth to depoſe his Sovereign be killed, or puniſhed by him for ſuch Attempt, he is Author of his own Puniſhment, as being, by the Inſtitution, Author of all his Sovereign ſhall do: And becauſe it is Injuſtice for a Man to do any thing, for which he may be puniſhed by his own Authority, he is alſo upon that Title, unjuſt. And whereas ſome Men have pretended for their Diſobedience to their Sovereign, a new Covenant, made, not with Men, but with God; this alſo is unjuſt: for there is no Covenant with God, but by Mediation of ſome Body that repreſenteth God's Perſon; which none doth but God's Lieutenant, who hath the Sovereignty under God. But this Pretence of Covenant with God, is ſo evident a Lye, even in the Pretenders own Conſciences, that it is not only an Act of an unjuſt, but alſo of a vile and unmanly Diſpoſition.

2. Sovereign Power cannot be forfeited.

Secondly, Becauſe the Right of bearing the Perſon of them all, is given to him they make Sovereign, by Covenant only of one to another, and not of him to any of them; there can happen no Breach of Covenant on the Part of the Sovereign; and conſequently none of his

Subjects, by any Pretence of Forſeiture, can be freed from his Subjection. That he which is made Sovereign maketh no Covenant with his Subjects beforehand, is manifeſt; becauſe either he muſt make it with the whole Multitude, as one Party to the Covenant; or he muſt make a ſeveral Covenant with every Man. With the whole, as one Party, it is impoſſible; becauſe as yet they are not one Perſon: and if he make ſo many ſeveral Covenants as there be Men, thoſe Covenants after he hath the Sovereignty are void, becauſe what Act ſoever can be pretended by any one of them for Breach thereof, is the Act both of himſelf and of all the reſt, becauſe done in the Perſon, and by the Right of every one of them in particular. Beſides, if any one or more of them, pretend a Breach of Covenant made by the Sovereign at his Inſtitution; and others, or one other of his Subjects, or himſelf alone, pretend there was no ſuch Breach, there is in this Caſe no Judge to decide the Controverſy: it returns therefore to the Sword again; and every Man recovereth the Right of protecting himſelf by his own Strength, contrary to the Deſign they had in the Inſtitution. It is therefore in vain to grant Sovereignty by Way of precedent Covenant. The Opinion that any Monarch receiveth his Power by Covenant, that is to ſay, on Condition, proceedeth from Want of underſtanding this eaſy Truth, that Covenants being but Words, and Breath, have no Force to oblige, contain, conſtrain, or protect any Man, but what it has from the public Sword; that is, from the untied Hands of that Man, or Aſſembly of Men, that hath the Sovereignty, and whoſe Actions are avouched by them all, and performed by the Strength of them all, in him united. But when an Aſſembly of Men is made Sovereign; then no Man imagineth any ſuch Covenant to have paſt in the Inſtitution; for no Man is ſo dull as to ſay, for Example, the People of *Rome* made a Covenant with the *Romans*, to hold the Sovereignty on ſuch or ſuch Conditions; which not performed, the *Romans* might lawfully depoſe the *Roman* People. That Men ſee not the Reaſon to be alike in a Monarchy, and in a Popular Government, proceedeth from the Ambition of ſome that are kinder to the Government of an Aſſembly, whereof they may hope to participate, than of Monarchy, which they deſpair to enjoy.

3. No Man can without Injuſtice proteſt againſt the Inſtitution of the Sovereign declared by the major Part.

Thirdly, Becauſe the major Part hath by conſenting Voices declared a Sovereign; he that diſſented muſt now conſent with the reſt; that is, be contented to avow all the Actions he ſhall do, or elſe juſtly be deſtroyed by the reſt. For if he voluntarily entered into the Congregation of them that were aſſembled, he ſufficiently declared thereby his Will (and therefore tacitly covenanted) to ſtand to what the major Part ſhould ordain: and therefore if he refuſe to ſtand thereto, or make Proteſtation againſt any of their Decrees, he does contrary to his Covenant, and therefore unjuſtly. And whether he be of the Congregation, or not, and whether his Conſent be aſked, or not, he muſt either ſubmit to their Decrees, or be left in the Condition of War he was in before; wherein he might without Injuſtice be deſtroyed by any Man whatſoever.

4. The Sovereign's Actions cannot be juſtly accuſed by the Subject.

Fourthly, Becauſe every Subject is by this Inſtitution Author of all the Actions and Judgments of the Sovereign inſtituted; it follows, that whatſoever he doth, it can be no Injury to any of his Subjects; nor ought he to be by any of them accuſed of Injuſtice. For he that doth any Thing by Authority from another, doth therein no Injury to him by whoſe Authority he acteth: But by this Inſtitution of a Commonwealth, every particular Man is Author of all the Sovereign doth; and conſequently he that complaineth of Injury from his Sovereign, complaineth of that whereof he himſelf is Author; and therefore ought not to accuſe any Man but himſelf; no nor himſelf of Injury; becauſe to do Injury to one's ſelf, is impoſſible. It is true that they that have Sovereign Power may commit Iniquity; but not Injuſtice, or Injury in the proper Signification.

5. Whatſoever the Sovereign doth, is unpuniſhable by the Subject.

Fifthly, And conſequently to that which was ſaid laſt, no Man that hath Sovereign Power can juſtly be put to Death, or otherwiſe in any Manner by his Subjects puniſhed. For ſeeing every Subject is Author of the Actions of his Sovereign; he puniſheth another, for the Actions committed by himſelf.

6. The Sovereign is Judge of what is neceſſary for the Peace and Defence of his Subjects.

And becauſe the End of this Inſtitution, is the Peace and Defence of them all; and whoſoever has Right to the End, has Right to the Means; it belongeth of Right to whatſoever Man, or Aſſembly, that hath the Sovereignty, to be Judge both of the Means of Peace and Defence; and alſo of the Hindrances and Diſturbanccs of the ſame; and to do whatſoever he ſhall think neceſſary to be done, both beforehand, for the preſerving of Peace and Security, by Prevention of Diſcord at Home, and Hoſtility from abroad; and, when Peace and Security are loſt, for the Recovery of the ſame. And therefore,

And Judge of what Doctrines are fit to be taught them.

Sixthly, It is annexed to the Sovereignty, to be Judge of what Opinions and Doctrines are averſe, and what conducing to Peace; and conſequently, on what Occaſions, how far, and with what, Men are to be truſted, in ſpeaking to Multitudes of People; and who ſhall examine the Doctrines of all Books before they be publiſhed. For the Actions of Men proceed from their Opinions; and in the well-governing of Opinions, conſiſteth the well-governing of Men's Actions, in order to their Peace and Concord. And though in Matter of Doctrine, nothing ought to be regarded but the Truth; yet this is not repugnant to regulating of the ſame by Peace. For Doctrine repugnant to Peace, can no more be true, than Peace and Concord can be againſt the Law of Nature. It is true, that in a Commonwealth, where by the Negligence or Unſkilfulneſs of Governors, and Teachers, falſe Doctrines are by time generally received; the contrary Truths may be generally offenſive: Yet the moſt ſudden and rough Buſtling in of a new Truth, that can be, does never break the Peace, but only ſometimes awake the War. For thoſe Men that are ſo remiſſly governed, that they dare take up Arms, to defend, or introduce an Opinion, are ſtill in War; and their Condition not Peace, but only a Ceſſation of Arms for Fear of one another; and they live, as it were, in the Precincts of Battle continually. It belongeth therefore to him that hath the Sovereign Power, to be Judge, or conſtitute all Judges of Opinions and Doctrines, as a Thing neceſſary to Peace; thereby to prevent Diſcord and Civil War.

7. The Right of making Rules, whereby the Subjects may every Man know what is ſo his own, as no other Subject can without Injuſtice take it from him.

Seventhly, Is annexed to the Sovereignty, the whole Power of preſcribing the Rules, whereby every Man may know, what Goods he may enjoy, and what Actions he may do, without being moleſted by any of his Fellow Subjects: And this is it Men call *Propriety*. For before Conſtitution of Sovereign Power (as hath already been ſhewn) all Men had Right to all Things; which neceſſarily cauſeth War: and therefore this Propriety, being neceſſary to Peace, and depending on Sovereign Power, is the Act of that Power, in order to the public Peace. Theſe Rules of Propriety (or *Meum* and *Tuum)* and of *Good*, *Evil*, *Lawful*, and *Unlawful* in the Actions of Subjects, are the Civil Laws; that is to ſay, the Laws of each Commonwealth in particular; though the Name of Civil Law be now reſtrained to the antient Civil Laws of the City of *Rome*; which being the Head of a great Part of the World, her Laws at that Time were in theſe Parts the Civil Law.

8. To him alſo belongeth the Right of all Judicature and Deciſion of Controverſy.

Eighthly, Is annexed to the Sovereignty, the Right of Judicature; that is to ſay, of hearing and deciding all Controverſies, which may ariſe concerning Law, either Civil or Natural, or concerning Fact. For without the Deciſion of Controverſies, there is no Protection of one Subject againſt the Injuries of another; the Laws concerning *Meum* and *Tuum* are in vain; and to every Man remaineth, from the natural and neceſſary Appetite of his own Conſervation, the Right of protecting himſelf by his private Strength, which is the Condition of War; and contrary to the End for which every Commonwealth is inſtituted.

9. And of making War and Peace, as he ſhall think beſt.

Ninthly, Is annexed to the Sovereignty the Right of making War and Peace with other Nations and Commonwealths; that is to ſay, of judging when it is for the public Good, and how great Forces are to be aſſembled, armed, and paid for that End; and to levy Money upon the Subjects to defray the Expences thereof. For the Power by which the People are to be defended, conſiſteth in their Armies; and the Strength of an Army, in the Union of their Strength under one Command; which Command the Sovereign inſtituted, therefore hath; becauſe the Command of the *Militia*, without other Inſtitution, maketh him that hath it Sovereign. And therefore whoever is made General of an Army, he that hath the Sovereign Power is always Generaliſſimo.

10. And of chuſing all Counſellors and Miniſters; both of Peace and War.

Tenthly, Is annexed to the Sovereignty the chuſing of Counſellors, Miniſters, Magiſtrates, and Officers, both in Peace and War. For ſeeing the Sovereign is charged with the End, which is the common Peace and Defence; he is underſtood to have Power to uſe ſuch Means, as he ſhall think moſt fit for his Diſcharge.

11. And of rewarding and puniſhing, and that (where no former Law hath determined the Meaſure of it) arbitrary.

Eleventhly, To the Sovereign is committed the Power of rewarding with Riches, or Honour; and of puniſhing with corporal, or pecuniary Puniſhment, or with Ignominy, every Subject, according to the Law he hath formerly made; or if there be no Law made, according as he ſhall judge moſt to conduce to the encouraging of Men to ſerve the Commonwealth, or deterring of them from doing Diſſervice to the ſame.

12. And of Honour and Order.

Laſtly, Conſidering what Value Men are naturally apt to ſet upon themſelves, what Reſpect they look for from others, and how little they value other Men, from whence continually ariſe amongſt them Emulation, Quarrels, Factions, and at laſt War, to the deſtroying of one another, and Diminution of their Strength againſt a common Enemy; it is neceſſary that there be Laws of Honour, and a public Rate of the Worth of ſuch Men as have deſerved, or are able to deſerve well of the Commonwealth; and that there be Force in the Hands of ſome or other, to put thoſe Laws in Execution. But it hath already been ſhewn, that not only the whole *Militia*, or Forces of the Commonwealth, but alſo the Judicature of all Controverſies, is annexed to the Sovereignty. To the Sovereign therefore it belongeth alſo to give Titles of Honour, and to appoint what Order of Place and Dignity each Man ſhall hold; and what Signs of Reſpect, in public or private Meetings, they ſhall give to one another.

Theſe Rights are indiviſible.

Theſe are the Rights which make the Eſſence of Sovereignty, and which are the Marks whereby a Man may diſcern in what Man, or Aſſembly of Men, the Sovereign Power is placed and reſideth. For theſe are incommunicable and inſeparable. The Power to coin Money, to diſpoſe of the Eſtate and Perſons of Infant Heirs, to have Preemption in Markets, and all other Statute Prerogatives, may be transferred by the Sovereign; and yet the Power to protect his Subjects be retained. But if he transfer the *Militia*, he retains the Judicature in vain, for want of Execution of the Laws: Or if he grant away the Power of raiſing Money, the *Militia* is in vain: or if he give away the Government of Doctrines, Men will be frighted into Rebellion with the Fear of Spirits. And ſo if we conſider any one of the ſaid Rights, we ſhall preſently ſee, that the holding of all the reſt will produce no Effect, in the Conſervation of Peace and Juſtice, the End for which all Commonwealths are inſtituted. And this Diviſion is it, whereof it is ſaid, *a Kingdom divided in itſelf cannot ſtand:* For unleſs this Diviſion precede, Diviſion into oppoſite Armies can never happen. If there had not firſt been an Opinion received of the greateſt part of *England*, that theſe Powers were divided between the King, and the Lords, and the Houſe of Commons, the People had never been divided, and fallen into this Civil War; firſt between thoſe that diſagreed in Politics, and after between the Diſſenters about the Liberty of Religion; which have ſo inſtructed Men in this Point of Sovereign Right, that there be few now (in *England*) that do not ſee that theſe Rights are inſeparable, and will be ſo generally acknowledged, at the next Return of Peace; and ſo continue, till their Miſeries are forgotten; and no longer, except the Vulgar be better taught than they have hitherto been.

And can by no Grant paſs away without direct renouncing of the Sovereign Power.

And becauſe they are eſſential and inſeparable Rights, it follows neceſſarily, that in whatſoever Words any of them ſeem to be granted away, yet if the Sovereign Power itſelf be not in direct Terms renounced, and the Name of Sovereign no more given by the Grantees to him that grants them, the Grant is void: for when he has granted all he can, if he grant back the Sovereignty, all is reſtored, as inſeparably annexed thereunto.

The Power and Honour of Subjects vaniſheth in the Preſence of the Power Sovereign.

This great Authority being indiviſible, and inſeparably annexed to the Sovereignty, there is little Ground for the Opinion of them that ſay of ſovereign Kings, though they be *ſingulis majores*, of greater Power than every one of their Subjects, yet they be *univerſis minores*, of leſs Power than them all together. For if by *all together*, they mean not the collective Body as one Perſon, then *all together*, and *every one*, ſignify the ſame; and the Speech is abſurd. But if by *all together*, they underſtand them as one Perſon (which Perſon the Sovereign bears) then the Power of all together is the ſame with the Sovereign's Power; and ſo again the Speech is abſurd: which Abſurdity they ſee well enough, when the Sovereignty is in an Aſſembly of the People; but in a Monarch they ſee it not; and yet the Power of Sovereignty is the ſame in whomſoever it be placed.

And as the Power, ſo alſo the Honour of the Sovereign, ought to be greater than that of any, or all the Subjects. For in the Sovereignty is the Fountain of Honour. The Dignities of Lord, Earl, Duke, and Prince, are his Creatures. As in the Preſence of the Maſter the Servants are equal, and without any Honour at all; ſo are the Subjects in the Preſence of the Sovereign. And though they ſhine ſome more, ſome leſs, when they are out of his Sight; yet in his Preſence, they ſhine no more than the Stars in Preſence of the Sun.

Sovereign Power not ſo hurtful as the Want of it, and the Hurt proceeds for the greateſt part from not ſubmitting readily to a leſs.

But a Man may here object, that the Condition of Subjects is very miſerable; as being obnoxious to the Luſts, and other irregular Paſſions of him or them, that have ſo unlimited a Power in their Hands. And commonly they that live under a Monarch, think it the Fault of Monarchy; and they that live under the Government of Democracy, or other Sovereign Aſſembly, attribute all the Inconvenience to that Form of Commonwealth; whereas the Power in all Forms, if they be perfect enough to protect them, is the ſame; not conſidering that the Eſtate of Man can never be without ſome Incommodity or other; and that the greateſt, that in any Form of Government can poſſibly happen to the People in general, is ſcarce ſenſible, in reſpect of the Miſeries and horrible Calamities that accompany a Civil War; or that diſſolute Condition of maſterleſs Men, without Subjection to Laws, and a coercive Power to tye their Hands from Rapine and Revenge: not conſidering that the greateſt Preſſure of ſovereign Governors, proceedeth not from any Delight or Profit they can expect in the Damage or Weakening of their Subjects, in whoſe Vigour conſiſteth their own Strength and Glory; but in the Reſtiveneſs of themſelves, that unwillingly contributing to their own Defence, make it neceſſary for their Governors to draw from them what they can in Time of Peace, that they may have Means on any emergent Occaſion or ſudden Need, to reſiſt or take Advantage on their Enemies. For all Men are by Nature provided of notable multiplying Glaſſes (that is, their Paſſions and Self-love) through which, every little Payment appeareth a great Grievance; but are deſtitute of thoſe proſpective Glaſſes (namely, Moral and Civil Science) to ſee afar off the Miſeries that hang over them, and cannot without ſuch Payments be avoided.

CHAP. XIX.

Of the ſeveral Kinds of Commonwealth *by Inſtitution, and of Succeſſion to the Sovereign Power.*

The different Forms of Commonwealths but three.

THE Difference of Commonwealths conſiſteth in the Difference of the Sovereign, or the Perſon Repreſentative of all and every one of the Multitude. And becauſe the Sovereignty is either in one Man, or in an Aſſembly of more than one; and into that Aſſembly either every Man hath Right to enter, or not every one, but certain Men diſtinguiſhed from the reſt; it is manifeſt there can be but three Kinds of Commonwealth. For the Repreſentative muſt needs be one Man, or more; and if more, then it is the Aſſembly of all, or but a Part. When the Repreſentative is one Man, then is the Commonwealth a *Monarchy*; when an Aſſembly of all that will come together, then it is a *Democracy*, or Popular Commonwealth; when an Aſſembly of a Part only, then it is called an *Ariſtocracy*. Other Kind of Commonwealth there can be none: for either one, or more, or all, muſt have the Sovereign Power (which I have ſhewn to be indiviſible) entire.

Tyranny and Oligarchy but different Names of Monarchy and Ariſtocracy.

There be other Names of Government in the Hiſtories and Books of Policy; as *Tyranny*, and *Oligarchy*: But they are not the Names of other Forms of Government, but of the ſame Forms miſliked. For they that are diſcontented under *Monarchy*, call it *Tyranny*; and they that are diſpleaſed with *Ariſtocracy*, called it *Oligarchy*: So alſo, they which find themſelves grieved under a *Democracy*, call it *Anarchy* (which ſignifies want of Government;) and yet I think no Man believes that want of Government is any new Kind of Government: nor by the ſame Reaſon ought they to believe, that the Government is of one Kind, when they like it, and another, when they miſlike it, or are oppreſſed by the Governors.

Subordinate Repreſentatives dangerous.

It is manifeſt, that Men who are in abſolute Liberty, may, if they pleaſe, give Authority to one Man to repreſent them every one, as well as give ſuch Authority to any Aſſembly of Men whatſoever; and conſequently may ſubject themſelves, if they think good, to a Monarch, as abſolutely as to any other Repreſentative. Therefore, where there is already erected a Sovereign Power, there can be no other Repreſentative of the ſame People, but only to certain particular Ends by the Sovereign limited. For that were to erect two Sovereigns; and every Man to have his Perſon repreſented by two Actors, that by oppoſing one another, muſt needs divide that Power, which (if Men will live in Peace) is indiviſible; and thereby reduce the Multitude into the Condition of War, contrary to the End for which all Sovereignty is inſtituted. And therefore, as it is abſurd to think that a Sovereign Aſſembly, inviting the People of their Dominion to ſend up their Deputies, with Power to make known their Advice or Deſires, ſhould therefore hold ſuch Deputies, rather than themſelves, for the abſolute Repreſentative of the People: ſo it is abſurd alſo, to think the ſame in a Monarchy. And I know not how this ſo manifeſt a Truth ſhould of late be ſo little obſerved; that in a Monarchy, he that had the Sovereignty from a Deſcent of ſix hundred Years, was alone called Sovereign, had the Title of Majeſty from every one of his Subjects, and was unqueſtionably taken by them for their King, was notwithſtanding never conſidered as their Repreſentative; that Name without Contradiction paſſing for the Title of thoſe Men, which at his Command were ſent up by the People to carry their Petitions, and give him (if he permitted it) their Advice. Which may ſerve as an Admonition for thoſe that are the true and abſolute Repreſentative of a People, to inſtruct Men in the Nature of that Office, and to take Heed how they admit of any other general Repreſentation upon any Occaſion whatſoever, if they mean to diſcharge the Truſt committed to them.

Compariſon of Monarchy with Sovereign Aſſemblies.

The Difference between theſe three Kinds of Commonwealth, conſiſteth not in the Difference of Power, but in the Difference of Convenience or Aptitude to produce the Peace and Security of the People; for which End they were inſtituted. And to compare Monarchy with the other two, we may obſerve; Firſt, that whoſoever beareth the Perſon of the People, or is one of that Aſſembly that bears it, beareth alſo his own natural Perſon. And though he be careful in his politic Perſon to procure the common Intereſt; yet he is more, or no leſs careful to procure the private Good of himſelf, his Family, Kindred, and Friends; and for the moſt part, if the public Intereſt chance to croſs the private, he prefers the private; for the Paſſions of Men are generally more potent than their Reaſon. From whence it follows, that where the public and private Intereſt are moſt cloſely united, there is the public moſt advanced. Now in Monarchy the private Intereſt is the ſame with the public. The Riches, Power, and Honour of a Monarch ariſe only from the Riches, Strength, and Reputation of his Subjects. For no King can be rich, nor glorious, nor ſecure, whoſe Subjects are either poor or contemptible, or too weak, through Want or Diſſention, to maintain a War againſt their Enemies: Whereas in a Democracy or Ariſtocracy, the public Proſperity confers not ſo much to the private Fortune of one that is corrupt or ambitious, as doth many times a perfidious Advice, a treacherous Action, or a Civil War.

Secondly, That a Monarch receiveth Counſel of whom, when, and where he pleaſeth; and conſequently may hear the Opinion of Men verſed in the Matter about which he deliberates, of what Rank or Quality ſoever, and as long before the Time of Action, and with as much Secrecy as he will. But when a Sovereign Aſſembly has Need of Counſel, none are admitted but ſuch as have a Right thereto from the Beginning; which for the moſt Part are of thoſe who have been verſed more in the Acquiſition of Wealth than of Knowledge, and are to give their Advice in long Diſcourſes, which may, and do commonly excite Men to Action, but not govern them in it. For the *Underſtanding* is by the Flame of the Paſſions, never enlightened, but dazled: Nor is there any Place or Time wherein an Aſſembly can receive Counſel with Secrecy, becauſe of their own Multitude.

Thirdly, That the Reſolutions of a Monarch, are ſubject to no other Inconſtancy, than that of Human Nature; but in Aſſemblies, beſides that of Nature, there ariſeth an Inconſtancy from the Number. For the Abſence of a few, that would have the Reſolution once taken continue firm, (which may happen by Security, Negligence, or private Impediments) or the diligent Appearance of a few of the contrary Opinion, undoes to-day all that was concluded yeſterday.

Fourthly, That a Monarch cannot diſagree with himſelf, out of Envy, or Intereſt; but an Aſſembly may; and that to ſuch a Height, as may produce a Civil War.

Fifthly, That in Monarchy there is this Inconvenience; that any Subject, by the Power of one Man, for the enriching of a Favourite or Flatterer, may be deprived of all he poſſeſſeth; which I confeſs is a great and inevitable Inconvenience. But the ſame may as well happen, where the Sovereign Power is in an Aſſembly: For their Power is the ſame; and they are as ſubject to evil Counſel, and to be ſeduced by Orators, as a Monarch by Flatterers; and becoming one another's Flatterers, ſerve one another's Covetouſneſs and Ambition by Turns. And whereas the Favourites of Monarchs are few, and they have none elſe to advance but their own Kindred; the Favourites of an Aſſembly are many; and the Kindred much more numerous, than of any Monarch. Beſides, there is no Favourite of a Monarch, which cannot as well ſuccour his Friends, as hurt his Enemies: But Orators, that is to ſay, Favourites of Sovereign Aſſemblies, though they have great Power to hurt, have little to ſave. For to accuſe, requires leſs Eloquence (ſuch is Man's Nature) than to excuſe; and Condemnation, than Abſolution, more reſembles Juſtice.

Sixthly, That it is an Inconvenience in Monarchy, that the Sovereignty may deſcend upon an Infant, or one that cannot diſcern between Good and Evil: and conſiſteth in this, that the Uſe of his Power, muſt be in the Hand of another Man, or of ſome Aſſembly of Men, which are to govern by his Right, and in his Name; as Curators, and Protectors of his Perſon and Authority. But to ſay there is Inconvenience in putting the Uſe of Sovereign Power into the Hand of a Man, or an Aſſembly of Men; is to ſay that all Government is more inconvenient, than Confuſion, and Civil War. And therefore all the Danger that can be pretended, muſt ariſe from the Contention of thoſe, that for an Office of ſo great Honour, and Profit, may become Competitors. To make it appear, that this Inconvenience proceedeth not from that Form of Government we call Monarchy, we are to conſider, that the precedent Monarch hath appointed who ſhall have the Tuition of his Infant Succeſſor, either expreſly by Teſtament, or tacitly, by not controlling the Cuſtom in that Caſe received: And then ſuch Inconvenience (if it happen) is to be attributed, not to the Monarchy, but to the Ambition and the Injuſtice of the Subjects; which in all Kinds of Government, where the People are not well inſtructed in their Duty, and the Rights of Sovereignty, is the ſame. Or elſe the precedent Monarch hath not at all taken Order for ſuch Tuition; and then the Law of Nature hath provided this ſufficient Rule, that the Tuition ſhall be in him, that hath by Nature moſt Intereſt in the Preſervation of the Authority of the Infant, and to whom leaſt Benefit can accrue by his Death, or Diminution. For ſeeing every Man by Nature ſeeketh his own Benefit, and Promotion; to put an Infant into the Power of thoſe, that can promote themſelves by his Deſtruction, or Damage, is not Tuition, but Treachery. So that ſufficient Proviſion being taken againſt all juſt Quarrel, about the Government under a Child, if any Contention ariſe to the Diſturbance of the public Peace, it is not to be attributed to the Form of Monarchy, but to the Ambition of Subjects, and Ignorance of their Duty. On the other Side, there is no great Commonwealth, the Sovereignty whereof is in a great Aſſembly, which is not, as to Conſultations of Peace and War, and making of Laws, in the ſame Condition as if the Government were in the Child. For as a Child wants the Judgment to diſſent from Counſel given him, and is thereby neceſſitated to take the Advice of them or him, to whom he is committed: So an Aſſembly wanteth the Liberty to diſſent from the Counſel of the major Part, be it good or bad. And as a Child has need of a Tutor or Protector, to preſerve his Perſon and Authority: So alſo (in great Commonwealths) the Sovereign Aſſembly, in all Dangers and Troubles, have need of *Cuſtodes Libertatis*; that is, of Dictators, or Protectors of their Authority; which are as much as temporary Monarchs; to whom for a Time, they may commit the entire Exerciſe of their Power; and have (at the End of that Time) been oftener deprived thereof than Infant Kings, by their Protectors, Regents, or any other Tutors.

Though the Kinds of Sovereignty be, as I have now ſhewn, but three; that is to ſay, Monarchy, where one Man has it; or Democracy, where the general Aſſembly of Subjects hath it; or Ariſtocracy, where it is in an Aſſembly of certain Perſons nominated, or otherwiſe diſtinguiſhed from the reſt: Yet he that ſhall conſider the particular Commonwealths that have been, and are in the World, will not perhaps eaſily reduce them to three, and may thereby be inclined to think there be other Forms ariſing from thoſe mingled together. As for Example, Elective Kingdoms, where Kings have the Sovereign Power put into their Hands for a Time; or Kingdoms, wherein the King hath a Power limited: which Governments are nevertheleſs by moſt Writers called Monarchy. Likewiſe if a Popular, or Ariſtocratical Commonwealth ſubdue an Enemy's Country, and govern the ſame by a Preſident, Procurator, or other Magiſtrate; this may ſeem perhaps at firſt Sight to be a Democratical, or Ariſtocratical Government. But it is not ſo. For Elective Kings are not Sovereigns, but Miniſters of the Sovereign; nor limited Kings Sovereigns, but Miniſters of them that have the Sovereign Power: Nor are thoſe Provinces which are in Subjection to a Democracy, or Ariſtocracy of another Commonwealth, Democratically, or Ariſtocratically governed, but Monarchically.

And firſt, concerning an Elective King, whoſe Power is limited to his Life, as it is in many Places of Chriſtendom at this Day; or to certain Years or Months, as the Dictator's Power amongſt the *Romans*; if he have Right to appoint his Succeſſor, he is no more Elective but Hereditary. But if he have no Power to elect his Succeſſor, then there is ſome other Man, or Aſſembly known, which after his Deceaſe may elect a new, or elſe the Commonwealth dieth, and diſſolveth with him, and returneth to the Condition of War. If it be known who have the Power to give the Sovereignty after his Death, it is known alſo that the Sovereignty was in them before: For none have Right to give that which they have not Right to poſſeſs, and keep to themſelves, if they think good. But if there be none that can give the Sovereignty, after the Deceaſe of him that was firſt elected; then has he Power, nay he is obliged by the Law of Nature, to provide, by eſtabliſhing his Succeſſor, to keep thoſe that had truſted him with the Government, from relapſing into the miſerable Condition of Civil War. And conſequently he was, when elected, a Sovereign abſolute.

Secondly, That the King whoſe Power is limited, is not ſuperior to him or them that have the Power to limit it; and he that is not ſuperior, is not ſupreme; that is to ſay, not Sovereign. The Sovereignty therefore was always in that Aſſembly which had the Right to limit him; and by Conſequence the Government not Monarchy, but either Democracy, or Ariſtocracy; as of old time in *Sparta*; where the Kings had a Privilege to lead their Armies; but the Sovereignty was in the *Ephori*.

Thirdly, Whereas heretofore the *Roman* People governed the Land of *Judea* (for Example) by a Preſident; yet was not *Judea* therefore a Democracy; becauſe they were not governed by any Aſſembly, into the which any of them had Right to enter; nor by an Ariſtocracy; becauſe they were not governed by an Aſſembly, into which any Man could enter by their Election: but they were governed by one Perſon, which though as to the People of *Rome* was an Aſſembly of the People, or Democracy; yet as to the People of *Judea*, which had no Right at all of participating in the Government, was a Monarch. For though where the People are governed by an Aſſembly, choſen by themſelves out of their own Number, the Government is called a Democracy, or Ariſtocracy; yet when they are governed by an Aſſembly, not of their own chuſing, 'tis a Monarchy; not of *one* Man over another Man; but of one People over another People.

Of the Right of Succeſſion.

Of all theſe Forms of Government, the Matter being mortal, ſo that not only Monarchs, but alſo whole Aſſemblies die, it is neceſſary for the Conſervation of the Peace of Men, that as there was Order taken for an artificial Man, ſo there be alſo Order taken for an artificial Eternity of Life; without which, Men that are governed by an Aſſembly, ſhould return into the Condition of War in every Age; and they that are governed by one Man, as ſoon as their Governor dieth. This artificial Eternity, is that which Men call the Right of *Succeſſion*.

There is no perfect Form of Government, where the diſpoſing of the Succeſſion is not in the preſent Sovereign. For if it be in any other particular Man, or private Aſſembly, it is in a Perſon ſubject, and may be aſſumed by the Sovereign at his Pleaſure; and conſequently the Right is in himſelf. And if it be in no particular Man, but left to a new Choice; then is the Commonwealth diſſolved; and the Right is in him that can get it; contrary to the Intention of them that inſtitute the Commonwealth, for their perpetual, and not temporary Security.

In a Democracy, the whole Aſſembly cannot fail, unleſs the Multitude that are to be governed fail. And therefore Queſtions of the Right of Succeſſion, have in that Form of Government no Place at all.

In an Ariſtocracy, when any of the Aſſembly dieth, the Election of another into his Room belongeth to the Aſſembly, as the Sovereign, to whom belongeth the chuſing of all Counſellors, and Officers. For that which the Repreſentative doth, as Actor, every one of the Subjects doth, as Author. And though the Sovereign Aſſembly may give Power to others, to elect new Men, for Supply of their Court; yet it is ſtill by their Authority that the Election is made; and by the ſame it may (when the public ſhall require it) be recalled.

The preſent Monarch hath Right to diſpoſe of the Succeſſion.

The greateſt Difficulty about the Right of Succeſſion, is in Monarchy: And the Difficulty ariſeth from this, that at firſt Sight, it is not manifeſt who is to appoint the Succeſſor; nor many times, who it is whom he hath appointed. For in both theſe Caſes, there is required a more exact Ratiocination, than every Man is accuſtomed to uſe. As to the Queſtion, who ſhall appoint the Succeſſor of a Monarch that hath the Sovereign Authority; that is to ſay, who ſhall determine of the Right of Inheritance, (for Elective Kings and Princes have not the Sovereign Power in Propriety, but in Uſe only) we are to conſider, that either he that is in Poſſeſſion, has Right to diſpoſe of the Succeſſion, or elſe that Right is again in the diſſolved Multitude. For the Death of him that hath the Sovereign Power in Propriety, leaves the Multitude without any Sovereign at all; that is, without any Repreſentative in whom they ſhould be united, and be capable of doing any one Action at all: And therefore they are incapable of Election of any new Monarch; every Man having equal Right to ſubmit himſelf to ſuch as he thinks beſt able to protect him; or if he can, protect himſelf by his own Sword; which is a Return to Confuſion, and to the Condition of a War of every Man againſt every Man, contrary to the End for which Monarchy had its firſt Inſtitution. Therefore it is manifeſt, that by the Inſtitution of Monarchy, the diſpoſing of the Succeſſor is always left to the Judgment and Will of the preſent Poſſeſſor.

And for the Queſtion (which may ariſe ſometimes) who it is that the Monarch in Poſſeſſion hath deſigned to the Succeſſion and Inheritance of his Power; it is determined by his expreſs Words, and Teſtament; or by other tacit Signs ſufficient.

Succeſſion paſſeth by expreſs Words;

By expreſs Words or Teſtament, when it is declared by him in his Life-time, *viva voce*, or by Writing; as the firſt Emperors of *Rome* declared who ſhould be their Heirs. For the Word Heir does not of itſelf imply the Children, or neareſt Kindred of a Man; but whomſoever a Man ſhall any Way declare he would have to ſucceed him in his Eſtate. If therefore a Monarch declare expreſly, that ſuch a Man ſhall be his Heir, either by Word or Writing, then is that Man, immediately after the Deceaſe of his Predeceſſor, inveſted in the Right of being Monarch.

Or, by not controlling a Cuſtom;

But where Teſtament, and expreſs Words are wanting, other natural Signs of the Will are to be followed: whereof the one is Cuſtom. And therefore where the Cuſtom is, that the next of Kindred abſolutely ſucceedeth, there alſo the next of Kindred hath Right to the Succeſſion; for that, if the Will of him that was in Poſſeſſion had been otherwiſe, he might eaſily have declared the ſame in his Life-time. And likewiſe where the Cuſtom is, that the next of the Male Kindred ſucceedeth, there alſo the Right of Succeſſion is in the next of the Kindred Male, for the ſame Reaſon. And ſo it is if the Cuſtom were to advance the Female. For whatſoever Cuſtom a Man may by a Word controul, and does not, it is a natural Sign he would have that Cuſtom ſtand.

Or, by Preſumption of natural Affection.

But where neither Cuſtom, nor Teſtament hath preceded, there it is to be underſtood, firſt, that a Monarch's Will is, that the Government remain Monarchical; becauſe he hath approved that Government himſelf. Secondly, that a Child of his own, Male or Female, be preferred before any other; becauſe Men are preſumed to be more inclined by Nature to advance their own Children, than the Children of other Men; and of their own, rather a Male than a Female; becauſe Men are naturally fitter than Women, for Actions of Labour and Danger. Thirdly, where his own Iſſue faileth, rather a Brother than a Stranger; and ſo ſtill the nearer in Blood, rather than the more remote; becauſe it is always preſumed, that the nearer of Kin is the nearer in Affection; and 'tis evident that a Man receives always by Reflexion, the moſt Honour from the Greatneſs of his neareſt Kindred.

But if it be lawful for a Monarch to diſpoſe of the Succeſſion by Words of Contract or Teſtament, Men may perhaps object a great Inconvenience: for he may ſell, or give his Right of governing to a Stranger; which, becauſe Strangers (that is, Men not uſed to live under the ſame Government, nor ſpeaking the ſame Language) do commonly undervalue one another, may turn to the Oppreſſion of his Subjects; which is indeed a great Inconvenience: but it proceedeth not neceſſarily from the Subjection to a Stranger's Government, but from the Unſkilfulneſs of the Governors, ignorant of the true Rules of Politics. And therefore the *Romans*, when they had ſubdued many Nations, to make their Government digeſtible, were wont to take away that Grievance, as much as they thought neceſſary, by giving ſometimes to whole Nations, and ſometimes to principal Men of every Nation they conquered, not only the Privileges, but alſo the Name of *Romans*; and took many of them into the Senate, and Offices of Charge, even in the *Roman* City. And this was it our moſt wiſe King, King *James*, aimed at, in endeavouring the Union of his two Realms of *England* and *Scotland*. Which if he could have obtained, had in all Likelihood prevented the Civil Wars, which make both thoſe Kingdoms, at this preſent, miſerable. It is not therefore any Injury to the People, for a Monarch to diſpoſe of the Succeſſion by Will; though by the Fault of many Princes, it hath been ſometimes found inconvenient. Of the Lawfulneſs of it, this alſo is an Argument, that whatſoever Inconvenience can arrive by giving a Kingdom to a Stranger, may arrive alſo by ſo marrying with Strangers, as the Right of Succeſſion may deſcend upon them: yet this by all Men is accounted lawful.

To diſpoſe of the Succeſſion, tho' to a King of another Nation, not unlawful.

CHAP. XX.

Of Dominion PATERNAL, *and* DESPOTICAL.

A Commonwealth by Acquiſition.

A *Commonwealth by Acquiſition*, is that, where the Sovereign Power is acquired by Force; and it is acquired by Force, when ſingly, or many together by Plurality of Voices, for Fear of Death or Bonds, do authoriſe all the Actions of that Man or Aſſembly, that hath their Lives and Liberty in his Power.

Wherein different from a Commonwealth by Inſtitution.

And this kind of Dominion or Sovereignty, differeth from Sovereignty by Inſtitution, only in this, That Men who chuſe their Sovereign, do it for Fear of one another, and not of him whom they inſtitute: But in this Caſe, they ſubject themſelves to him they are afraid of. In both Caſes they do it for Fear: which is to be noted by them, that hold all ſuch Covenants, as proceed from Fear of Death or Violence, void: which if it were true, no Man, in any Kind of Commonwealth, could be obliged to Obedience. It is true, that in a Commonwealth once inſtituted, or acquired, Promiſes proceeding from Fear of Death, or Violence, are no Covenants, nor obliging, when the Thing promiſed is contrary to the Laws: But the Reaſon is not becauſe it was made upon Fear, but becauſe he that promiſeth hath no Right in the Thing promiſed. Alſo, when he may lawfully perform, and doth not, it is not the Invalidity of the Covenant that abſolveth him, but the Sentence of the Sovereign. Otherwiſe, whenſoever a Man lawfully promiſeth, he unlawfully breaketh: But when the Sovereign, who is the Actor, acquitteth him, then he is acquitted by him that extorted the Promiſe, as by the Author of ſuch Abſolution.

The Rights of Sovereignty the ſame in both.

But the Rights, and Conſequences of Sovereignty, are the ſame in both. His Power cannot, without his Conſent, be transferred to another: He cannot forfeit it; he cannot be accuſed by any of his Subjects of Injury; he cannot be puniſhed by them; he is Judge of what is neceſſary for Peace, and Judge of Doctrines; he is ſole Legiſlator, and ſupreme Judge of Controverſies, and of the Times and Occaſions of War and Peace: to him it belongeth to chuſe Magiſtrates, Counſellors, Commanders, and all other Officers and Miniſters; and to determine of Rewards and Puniſhments, Honour and Order. The Reaſons whereof are the ſame which are alledged in the precedent Chapter, for the ſame Rights, and Conſequences of Sovereignty by Inſtitution.

Dominion Paternal how attained.

Not by Generation, but by Contract;

Dominion is acquired two ways; by Generation, and by Conqueſt. The Right of Dominion by Generation, is that, which the Parent hath over his Children; and is called *Paternal*. And is not ſo derived from the Generation, as if therefore the Parent had Dominion over his Child becauſe he begat him; but from the Child's Conſent, either expreſs, or by other ſufficient Arguments declared. For as to the Generation, God hath ordained to Man a Helper; and there be always two that are equally Parents: the Dominion therefore over the Child, ſhould belong equally to both, and he be equally ſubject to both, which is impoſſible; for no Man can obey two Maſters. And whereas ſome have attributed the Dominion to the Man only, as being of the more excellent Sex; they miſreckon in it. For there is not always that Difference of Strength or Prudence between the Man and the Woman, as that the Right can be determined without War. In Commonwealths, this Controverſy is decided by the Civil Law: and for the moſt part, (but not always) the Sentence is in Favour of the Father; becauſe for the moſt part Commonwealths have been erected by the Fathers, not by the Mothers of Families. But the Queſtion lieth now in the State of mere Nature; where there are ſuppoſed no Laws of Matrimony, no Laws for the Education of Children, but the Law of Nature, and the natural Inclination of the Sexes one to another, and to their Children. In this Condition of mere Nature, either the Parents between themſelves diſpoſe of the Dominion over the Child by Contract, or do not diſpoſe thereof at all. If they diſpoſe thereof, the Right paſſeth according to the Contract. We find in Hiſtory, that the *Amazons* contracted with the Men of the neighbouring Countries, to whom they had Recourſe for Iſſue, that the Iſſue Male ſhould be ſent back, but the Female remain with themſelves: ſo that the Dominion of the Females was in the Mother.

Or Education;

If there be no Contract, the Dominion is in the Mother. For in the Condition of mere Nature, where there are no matrimonial Laws, it cannot be known who is the Father, unleſs it be declared by the Mother; and therefore the Right of Dominion over the Child dependeth on her Will, and is conſequently hers. Again, ſeeing the Infant is firſt in the Power of the Mother, ſo as ſhe may either nouriſh or expoſe it; if ſhe nouriſh it, it oweth its Life to the Mother, and is therefore obliged to obey her rather than any other; and by Conſequence the Dominion over it is hers. But if ſhe expoſe it, and another find and nouriſh it, the Dominion is in him that nouriſheth it. For it ought to obey him by whom it is preſerved; becauſe Preſervation of Life being the End for which one Man becomes ſubject to another, every Man is ſuppoſed to promiſe Obedience to him, in whoſe Power it is to ſave or deſtroy him.

If the Mother be the Father's Subject, the Child is in the Father's Power; and if the Father be the Mother's Subject (as when a Sovereign Queen marrieth one of her Subjects) the Child is ſubject to the Mother, becauſe the Father alſo is her Subject.

Or precedent Subjection of one of the Parents to the other.

If a Man and a Woman, Monarchs of two ſeveral Kingdoms, have a Child, and contract who ſhall have the Dominion of him, the Right of the Dominion paſſeth by the Contract. If they contract not, the Dominion followeth the Dominion of the Place of his Reſidence. For the Sovereign of each Country hath Dominion over all that reſide therein.

He that hath the Dominion over the Child, hath Dominion alſo over the Children of the Child, and over their Childrens Children. For he that hath Dominion over the Perſon of a Man, hath Dominion over all that is his; without which, Dominion were but a Title, without the Effect.

The Right of Succeſſion followeth the Rules of the Right of Poſſeſſion.

The Right of Succeſſion to Paternal Dominion, proceedeth in the ſame Manner, as doth the Right of Succeſſion to Monarchy; of which I have already ſufficiently ſpoken in the precedent Chapter.

Deſpotical Dominion, how attained.

Dominion acquired by Conqueſt or Victory in War, is what ſome Writers call *Deſpotical*, from Δεσπότης which ſignifieth a *Lord* or *Maſter*; and is the Dominion of the Maſter over his Servant. And this Dominion is then acquired to the Victor, when the Vanquiſhed, to avoid the preſent Stroke of Death, covenanteth either in expreſs Words, or by other ſufficient Signs of the Will, that ſo long as his Life and the Liberty of his Body is allowed him, the Victor ſhall have the Uſe thereof at his Pleaſure. And after ſuch Covenant made, the Vanquiſhed is a *Servant*, and not before: for by the Word *Servant* (whether it be derived from *ſervire* to ſerve, or from *ſervare*, to ſave, which I leave to Grammarians to diſpute) is not meant a Captive which is kept in Priſon or Bonds, till the Owner of him that took him, or bought him of one that did, ſhall conſider what to do with him: for ſuch Men (commonly called Slaves) have no Obligation at all; but may break their Bonds, or the Priſon, and kill or carry away Captive their Maſter juſtly: but one, that being taken, hath corporal Liberty allowed him; and upon Promiſe not to run away, nor to do Violence to his Maſter, is truſted by him.

Not by the Victory, but by the Conſent of the Vanquiſhed.

It is not therefore the Victory that giveth the Right of Dominion over the Vanquiſhed, but his own Covenant. Nor is he obliged, becauſe he is conquered, that is to ſay, beaten, and taken, or put to flight, but becauſe he cometh in, and ſubmitteth to the Victor: nor is the Victor obliged by an Enemy's rendering himſelf (without Promiſe of Life) to ſpare him for this his yielding to Diſcretion; which obliges not the Victor longer, than in his own Diſcretion he ſhall think fit.

And that which Men do, when they demand (as it is now called) *Quarter*, (which the *Greeks* called Ζωγρία, *taking alive)* is to evade the preſent Fury of the Victor, by Submiſſion, and to compound for their Life with Ranſom or Service; and therefore he that hath Quarter, hath not his Life given, but deferred till farther Deliberation: For it is not a yielding on Condition of Life, but to Diſcretion. And then only is his Life in Security, and his Service due, when the Victor hath truſted him with his corporal Liberty. For Slaves that work in Priſons, or Fetters, do it not of Duty, but to avoid the Cruelty of their Taſk-maſters.

The Maſter of the Servant is Maſter alſo of all he hath, and may exact the Uſe thereof; that is to ſay, of his Goods, of his Labour, of his Servants, and of his Children, as often as he ſhall think fit. For he holdeth his Life of his Maſter by the Covenant of Obedience; that is, of owning and authoriſing whatſoever the Maſter ſhall do. And in Caſe the Maſter, if he refuſe, kill him, or caſt him into Bonds, or otherwiſe puniſh him for his Diſobedience, he is himſelf the Author of the ſame, and cannot accuſe him of Injury.

In ſum, the Rights and Conſequences of both *Paternal* and *Deſpotical* Dominion are the very ſame with thoſe of a Sovereign by Inſtitution; and for the ſame Reaſons: which Reaſons are ſet down in the precedent Chapter. So that for a Man that is Monarch of divers Nations, whereof he hath, in one the Sovereignty by Inſtitution of the People aſſembled, and in another by Conqueſt, that is, by the Submiſſion of each Particular, to avoid Death or Bonds; to demand of one Nation more than of the other, from the Title of Conqueſt, as being a conquered Nation, is an Act of Ignorance of the Rights of Sovereignty. For the Sovereign is abſolute over both alike, or elſe there is no Sovereignty at all; and ſo every Man may lawfully protect himſelf, if he can, with his own Sword, which is the Condition of War.

Difference between a Family and a Kingdom.

By this it appears, that a great Family, if it be not Part of ſome Commonwealth, is of itſelf, as to the Rights of Sovereignty, a little Monarchy; whether that Family conſiſt of a Man and his Children, or of a Man and his Servants, or of a Man, and his Children, and Servants together; wherein the Father or Maſter is Sovereign. But yet a Family is not properly a Commonwealth, unleſs it be of that Power by its own Number, or by other Opportunities, as not to be ſubdued without the Hazard of War. For where a Number of Men are manifeſtly too weak to defend themſelves united, any one may uſe his own Reaſon in Time of Danger, to ſave his own Life, either by Flight, or Submiſſion to the Enemy, as he ſhall think beſt; in the ſame Manner as a very ſmall Company of Soldiers, ſurpriſed by an Army, may caſt down their Arms, and demand Quarter, or run away, rather than be put to the Sword. And thus much ſhall ſuffice, concerning what I find by Speculation and Deduction of Sovereign Rights, from the Nature, Need, and Deſigns of Men, in erecting of Commonwealths, and putting themſelves under Monarchs or Aſſemblies, entruſted with Power enough for their Protection.

The Rights of Monarchy from Scripture.

Let us now conſider what the Scripture teacheth in the ſame Point. To *Moſes*, the Children of *Iſrael* ſay thus: * *Speak thou to us, and we will hear thee; but let not God ſpeak to us, leſt we die.* This is abſolute Obedience to *Moſes*. Concerning the Right of Kings, God himſelf by the Mouth of *Samuel*, ſaith, † *This ſhall be the Right of the King you will have to reign over you. He ſhall take your Sons, and ſet them to drive his Chariots, and to be his Horſemen, and to run before his Chariots; and gather in his Harveſt; and to make his Engines of War, and Inſtruments of his Chariots; and ſhall take your Daughters to make Perfumes, to be his Cooks and Bakers. He ſhall take your Fields, your Vine-yards, and your Olive-yards, and give them to his Servants. He ſhall take the Tythe of your Corn and Wine, and give it to the Men of his Chamber, and to his other Servants. He ſhall take your Men-Servants, and your Maid-Servants, and the Choice of your Youth, and employ them in his Buſineſs. He ſhall take the Tythe of your Flocks; and you ſhall be his Servants.* This is abſolute Power, and ſummed up in the laſt Words, *you ſhall be his Servants.* Again, when the People heard what Power their King was to have, yet they conſented thereto, and ſaid thus, * *We will be as all other Nations, and our King ſhall judge our Cauſes, and go before us, to conduct*

* Exod. xx. 19.

† 1 Sam. viii. 11, 12, &c.

* Verſe 19, &c.

our Wars. Here is confirmed the Right that Sovereigns have, both to the *Militia*, and to all *Judicature*; in which is contained as abſolute Power, as one Man can poſſibly transfer to another. Again, the Prayer of King *Solomon* to God, was this, * *Give to thy Servant Underſtanding, to judge thy People, and to diſcern between Good and Evil.* It belongeth therefore to the Sovereign to be *Judge*, and to preſcribe the Rules of *diſcerning Good and Evil:* which Rules are Laws; and therefore in him is the Legiſlative Power. *Saul* ſought the Life of *David*; yet when it was in his Power to ſlay *Saul*, and his Servants would have done it, *David* forbad them, ſaying, * *God forbid I ſhould do ſuch an Act againſt my Lord, the anointed of God.* For Obedience of Servants, St. *Paul* ſaith, * *Servants obey your Maſters in all Things*; and, † *Children obey your Parents in all Things.* There is ſimple Obedience in thoſe that are ſubject to Paternal or Deſpotical Dominion. Again, * *The Scribes and Phariſees ſit in Moſes Chair, and therefore all that they ſhall bid you obſerve, that obſerve and do.* There again is ſimple Obedience. And St. *Paul*, * *Warn them that they ſubject themſelves to Princes, and to thoſe that are in Authority, and obey them.* This Obedience is alſo ſimple. Laſtly, our Saviour himſelf acknowledges, that Men ought to pay ſuch Taxes as are by Kings impoſed, where he ſays, *Give to Cæſar, that which is Cæſar's*; and paid ſuch Taxes himſelf. And the King's Word is ſufficient to take any Thing from the Subject, when there is Need; and that the King is Judge of that Need: For he himſelf, as King of the *Jews*, commanded his Diſciples to take the Aſs, and Aſs's Colt to carry him into *Jeruſalem*, ſaying, * *Go into the Village over againſt you, and you ſhall find a ſhe Aſs tied, and her Colt with her, untie them, and bring them to me. And if any Man aſk you, what you mean by it, ſay, The Lord hath need of them: and they will let them go.* They will not aſk whether his Neceſſity be a ſufficient Title; nor whether he be Judge of that Neceſſity; but acquieſce in the Will of the Lord.

* 1 Kings iii. 9.
* 1 Sam. xxiv. 9.
* Col. iii. 20.
† Ver. 22.
* Mat. xxiii. 2, 3.
* Tit. iii. 2.
* Mat. xxi. 2, 3.

To theſe Places may be added alſo that of *Geneſis*, * *You ſhall be as Gods knowing Good and Evil.* And Verſe 11. *Who told thee that thou waſt naked? haſt thou eaten of the Tree, of which I commanded thee thou ſhouldeſt not eat?* For the Cognizance or Judicature of *Good* and *Evil*, being forbidden by the Name of the Fruit of the Tree of Knowledge, as a Trial of *Adam*'s Obedience; the Devil, to inflame the Ambition of the Woman, to whom that Fruit already ſeemed beautiful, told her that by taſting it, they ſhould be as Gods, knowing *Good* and *Evil.* Whereupon having both eaten, they did indeed take upon them God's Office, which is Judicature of Good and Evil; but acquired no new Ability to diſtinguiſh between them aright. And whereas it is ſaid, that having eaten, they ſaw they were naked; no Man hath ſo interpreted that Place, as if they had been formerly blind, and ſaw not their own Skins: the Meaning is plain, that it was then they firſt judged their Nakedneſs (wherein it was God's Will to create them) to be uncomely; and by being aſhamed, did tacitly cenſure God himſelf. And thereupon God ſaith, *Haſt thou eaten, &c.* as if he ſhould ſay, Doſt thou, that oweſt me Obedience, take upon thee to judge of my Commandments? Whereby it is clearly (though allegorically) ſignified, that the Commands of them that have the Right to command, are not by their Subjects to be cenſured, nor diſputed.

* Gen. iii. 5.

Sovereign Power ought in all Commonwealths to be abſolute.

So that it appeareth plainly, to my Underſtanding, both from Reaſon and Scripture, that the Sovereign Power, whether placed in one Man, as in Monarchy, or in one Aſſembly of Men, as in Popular and Ariſtocratical Commonwealths, is as great, as poſſibly Men can be imagined to make it. And though of ſo unlimited a Power, Men may fancy many evil Conſequences, yet the Conſequences of the want of it, which is perpetual War of every Man againſt his Neighbour, are much worſe. The Condition of Man in this Life ſhall never be without Inconveniences; but there happeneth in no Commonwealth any great Inconvenience, but what proceeds from the Subjects Diſobedience, and Breach of thoſe Covenants, which from the Commonwealth hath its Being. And whoſoever thinking Sovereign Power too great, will ſeek to make it leſs, muſt ſubject himſelf to the Power that can limit it; that is to ſay, to a greater.

The greateſt Objection is, that of the Practice; when Men aſk, Where, and when, ſuch Power has by Subjects been acknowledged? But one may aſk them again, When, or where, has there been a Kingdom long free from Sedition and Civil War? In thoſe Nations, whoſe Commonwealths have been long-lived, and not been deſtroyed but by Foreign War, the Subjects never did diſpute of the Sovereign Power. But howſoever, an Argument from the Practice of Men that have not ſifted to the Bottom, and with exact Reaſon weighed the Cauſes and Nature of Commonwealths, and ſuffer daily thoſe Miſeries that proceed from the Ignorance thereof, is invalid. For though in all Places of the World, Men ſhould lay the Foundation of their Houſes on the Sand, it could not thence be inferred, that ſo it ought to be. The Skill of making, and maintaining Commonwealths, conſiſteth in certain Rules, as doth Arithmetic and Geometry; not (as Tennis-play) on Practice only: which Rules, neither poor Men have had the Leiſure, nor Men that have had the Leiſure, have hitherto had the Curioſity or the Method to find out.

CHAP. XXI.

Of the LIBERTY *of Subjects.*

Liberty, what.

LIBERTY, or *Freedom*, ſignifieth (properly) the Abſence of Oppoſition; (by Oppoſition, I mean external Impediments of Motion;) and may be applied no leſs to irrational and inanimate Creatures, than to Rational. For whatſoever is ſo tied or environed, as it cannot move, but within a certain Space, which Space is determined by the Oppoſition of ſome external Body, we ſay it hath no Liberty to go further. And ſo of all living Creatures, whilſt they are impriſoned or reſtrained with Walls or Chains; and of the Water whilſt it is kept in by Banks, or Veſſels, that otherwiſe would ſpread itſelf into a larger Space; we uſe to ſay, they are not at Liberty to move in ſuch Manner, as without thoſe external Impediments they would. But when the Impediment of Motion is in the Conſtitution of the Thing itſelf, we uſe not to ſay, it wants the Liberty, but the Power to move; as when a Stone lyeth ſtill, or a Man is faſtened to his Bed by Sickneſs.

What it is to be free.

And according to this proper, and generally received Meaning of the Word, *A Free-Man, is he, that in thoſe Things which by his Strength and Wit he is able to do, is not hindered to do what he has a Will to.* But when the Words *Free* and *Liberty*, are applied to any thing but *Bodies*, they are abuſed; for that which is not ſubject to Motion, is not ſubject to Impediment: And therefore, when 'tis ſaid (for Example) the Way is free, no Liberty of the Way is ſignified, but of thoſe that walk in it without Stop. And when we ſay, a Gift is free, there is not meant any Liberty of the Gift, but of the Giver, that was not bound by any Law, or Covenant to give it. So when we *ſpeak freely*, it is not the Liberty of Voice, or Pronunciation, but of the Man, whom no Law hath obliged to ſpeak otherwiſe than he did. Laſtly, from the Uſe of the Word *Free-will*, no Liberty can be inferred of the Will, Deſire, or Inclination, but the Liberty of the Man; which conſiſteth in this, that he finds no Stop, in doing what he has the Will, Deſire, or Inclination to do.

Fear and Liberty conſiſtent.

Fear and Liberty are conſiſtent; as when a Man throweth his Goods into the Sea for *Fear* the Ship ſhould ſink, he doth it nevertheleſs very willingly, and may refuſe to do it if he will: It is therefore the Action of one that was *free*. So a Man ſometimes pays his Debt, only for *Fear* of Impriſonment, which becauſe nobody hindered him from detaining, was the Action of a Man at *Liberty*. And generally all Actions which Men do in Commonwealths, for *Fear* of the Law, are Actions which the Doers had *Liberty* to omit.

Liberty and Neceſſity conſiſtent.

Liberty and *Neceſſity* are conſiſtent: As in the Water, that hath not only *Liberty*, but a *Neceſſity* of deſcending by the Channel: ſo likewiſe in the Actions which Men voluntarily do; which (becauſe they proceed from their Will) proceed from *Liberty*; and yet becauſe every Act of Man's Will, and every Deſire and Inclination, proceedeth from ſome Cauſe, and that from another Cauſe, which Cauſes in a continual Chain (whoſe firſt Link in the Hand of God the firſt of all Cauſes) proceed from *Neceſſity*. So that to him that could ſee the Connexion of thoſe Cauſes, the *Neceſſity* of all Men's voluntary Actions would appear manifeſt. And therefore God, that ſeeth and diſpoſeth all Things, ſeeth alſo that the *Liberty* of Man in doing what he will, is accompanied with the *Neceſſity* of doing that which God will, and no more nor leſs. For though Men do many Things which God does not command, nor is therefore Author of them; yet they can have no Paſſion, nor Appetite to any Thing, of which Appetite God's Will is not the Cauſe. And did not his Will aſſure the *Neceſſity* of Man's Will, and conſequently of all that on Man's Will dependeth, the *Liberty* of Men would be a Contradiction, and Impediment to the Omnipotence and *Liberty* of God. And this ſhall ſuffice, (as to the Matter in hand) of that natural *Liberty*, which only is properly called *Liberty*.

Artificial Bonds or Covenants.

But as Men, for the attaining of Peace, and Conſervation of themſelves thereby, have made an artificial Man, which we call a Commonwealth; ſo alſo have they made artificial Chains, called *Civil Laws*, which they themſelves, by mutual Covenants, have faſten'd at one End to the Lips of that Man, or Aſſembly, to whom they have given the Sovereign Power; and at the other End to their own Ears. Theſe Bonds, in their own Nature but weak, may nevertheleſs be made to hold, by the Danger, though not by the Difficulty, of breaking them.

Liberty of Subjects conſiſteth in Liberty from Covenants.

In relation to theſe Bonds only it is, that I am to ſpeak now of the *Liberty* of *Subjects*. For ſeeing there is no Commonwealth in the World, wherein there be Rules enough ſet down for the regulating of all the Actions, and Words of Men, (as being a Thing impoſſible:) it followeth neceſſarily, that in all kinds of Actions, by the Laws pretermitted, Men have the Liberty of doing what their own Reaſons ſhall ſuggeſt, for the moſt profitable to themſelves. For if we take Liberty in the proper Senſe, for corporal Liberty, that is to ſay, Freedom from Chains and Priſon, it were very abſurd for Men to clamour as they do, for the Liberty they ſo manifeſtly enjoy. Again, if we take Liberty for an Exemption from Laws, it is no leſs abſurd for Men to demand as they do, that Liberty, by which all other Men may be Maſters of their

Lives. And yet as abſurd as it is, this is it they demand; not knowing that the Laws are of no Power to protect them, without a Sword in the Hands of a Man, or Men, to cauſe thoſe Laws to be put in Execution. The Liberty of a Subject lieth therefore only in thoſe Things, which in regulating their Actions, the Sovereign hath pretermitted: ſuch as is the Liberty to buy and ſell, and otherwiſe contract with one another; to chuſe their own Abode, their own Diet, their own Trade of Life, and inſtitute their Children as they themſelves think fit; and the like.

Liberty of the Subject conſiſtent with the unlimited Power of the Sovereign.

Nevertheleſs we are not to underſtand, that by ſuch Liberty, the Sovereign Power of Life and Death is either aboliſhed or limited. For it has been already ſhewn, that nothing the Sovereign Repreſentative can do to a Subject, on what Pretence ſoever, can properly be called Injuſtice or Injury; becauſe every Subject is Author of every Act the Sovereign doth; ſo that he never wanteth Right to any thing, otherwiſe than as he himſelf is a Subject of God, and bound thereby to obſerve the Laws of Nature. And therefore it may, and doth often happen in Commonwealths, that a Subject may be put to death, by the Command of the Sovereign Power, and yet neither do the other Wrong: As when *Jephtha* cauſed his Daughter to be ſacrificed: In which, and the like Caſes, he that ſo dieth, had Liberty to do the Action, for which he is nevertheleſs without Injury put to death. And the ſame holdeth alſo in a Sovereign Prince, that putteth to death an innocent Subject. For though the Action be againſt the Law of Nature, as being contrary to Equity, (as was the killing of *Uriah* by *David*) yet it was not an Injury to *Uriah*, but to *God*. Not to *Uriah*, becauſe the Right to do what he pleaſed, was given him by *Uriah* himſelf: And yet to *God*, becauſe *David* was *God*'s Subject; and prohibited all Iniquity by the Law of Nature. Which Diſtinction, *David* himſelf, when he repented the Fact, evidently confirmed, ſaying, *To thee only have I ſinned*. In the ſame manner, the People of *Athens*, when they baniſhed the moſt potent of their Commonwealth for ten Years, thought they commited no Injuſtice; and yet they never queſtioned what Crime he had done; but what Hurt he would do: Nay they commanded the Baniſhment of they knew not whom; and every Citizen bringing his Oyſter-ſhell into the Market-place, written with the Name of him he deſired ſhould be baniſhed, without actual accuſing him; ſometimes baniſhed an *Ariſtides*, for his Reputation of Juſtice; and ſometimes a ſcurrilous Jeſter, as *Hyperbolus*, to make a Jeſt of it. And yet a Man cannot ſay, the Sovereign People of *Athens* wanted Right to baniſh them; or an *Athenian* the Liberty to jeſt, or to be juſt.

The Liberty which Writers praiſe, is the Liberty of Sovereigns; not of private Men.

The Liberty, whereof there is ſo frequent and honourable Mention, in the Hiſtories and Philoſophy of the antient *Greeks* and *Romans*, and in the Writings and Diſcourſe of thoſe that from them have received all their Learning in the Politics, is not the Liberty of particular Men, but the Liberty of the Commonwealth: which is the ſame with that, which every Man then ſhould have, if there were no Civil Laws, nor Commonwealth at all. And the Effects of it alſo be the ſame. For as amongſt maſterleſs Men, there is perpetual War, of every Man againſt his Neighbour; no Inheritance, to tranſmit to the Son, nor to expect from the Father; no Propriety of Goods or Lands, no Security, but a full and abſolute Liberty in every particular Man: So in States and Commonwealths not dependant on one another, every Commonwealth (not every Man) has an abſolute Liberty to do what it ſhall judge (that is to ſay, what that Man, or Aſſembly that repreſenteth it, ſhall judge) moſt conducing to their Benefit. But withall, they live in the Condition of a perpetual War, and upon the Confines of Battle, with their

Frontiers armed, and Cannons planted againſt their Neighbours round about. The *Athenians* and *Romans* were free; that is, free Commonwealths: not that any particular Man had the Liberty to reſiſt their own Repreſentative; but that their Repreſentative had the Liberty to reſiſt, or invade other People. There is written on the Turrets of the City of *Lucca* in great Characters at this Day, the Word *LIBERTAS*; yet no Man can thence infer, that a particular Man has more Liberty or Immunity from the Service of the Commonwealth there, than in *Conſtantinople*. Whether a Commonwealth be Monarchical or Popular, the Freedom is ſtill the ſame.

But it is an eaſy Thing for Men to be deceived, by the ſpecious Name of Liberty; and for want of Judgment to diſtinguiſh, miſtake that for their private Inheritance and Birth-right, which is the Right of the Public only. And when the ſame Error is confirmed by the Authority of Men in Reputation for their Writings on this Subject, it is no Wonder if it produce Sedition and Change of Government. In theſe weſtern Parts of the World, we are made to receive our Opinions concerning the Inſtitution and Rights of Commonwealths, from *Ariſtotle*, *Cicero*, and other Men, *Greeks* and *Romans*, that living under popular States, derived thoſe Rights, not from the Principles of Nature, but tranſcribed them into their Books, out of the Practice of their own Commonwealths, which were popular; as the Grammarians deſcribe the Rules of Language out of the Practice of the Time, or the Rules of Poetry out of the Poems of *Homer* and *Virgil*. And becauſe the *Athenians* were taught (to keep them from Deſire of changing their Government) that they were Freemen, and all that lived under Monarchy were Slaves; therefore *Ariſtotle* puts it down in his *Politics (lib.* 2. *cap.* 2.*) In Democracy* Liberty *is to be ſuppoſed: for it is commonly held, that no Man is* free *in any other Government*. And as *Ariſtotle*, ſo *Cicero*, and other Writers, have grounded their Civil Doctrine on the Opinion of the *Romans*, who were taught to hate Monarchy, at firſt, by them that having depoſed their Sovereign, ſhared amongſt them the Sovereignty of *Rome*; and afterwards by their Succeſſors. And by reading of theſe *Greek* and *Latin* Authors, Men from their Childhood have gotten a Habit (under a falſe Shew of Liberty) of favouring Tumults, and of licentious controlling the Actions of their Sovereigns; and again of controlling thoſe Controllers, with the Effuſion of ſo much Blood, as I think I may truly ſay, there was never any thing ſo dearly bought as theſe weſtern Parts have bought the Learning of the *Greek* and *Latin* Tongues.

Liberty of Subjects how to be meaſured.

To come now to the Particulars of the true Liberty of the Subject; that is to ſay, what are the Things, which though commanded by the Sovereign, he may neverthеleſs, without Injuſtice, refuſe to do; we are to conſider, what Rights we paſs away when we make a Commonwealth, or (which is all one) what Liberty we deny ourſelves, by owning all the Actions (without Exception) of the Man or Aſſembly we make our Sovereign. For in the Act of our *Submiſſion* conſiſteth both our *Obligation* and our *Liberty*; which muſt therefore be inferred by Arguments taken from thence; there being no Obligation on any Man, which ariſeth not from ſome Act of his own; for all Men equally are by Nature free. And becauſe ſuch Arguments muſt either be drawn from the expreſs Words, *I authoriſe all his Actions*, or from the Intention of him that ſubmitteth himſelf to his Power, (which Intention is to be underſtood by the End for which he ſo ſubmitteth;) the Obligation and Liberty of the Subject is to be derived, either from thoſe Words, (or others equivalent) or elſe from the End of the Inſtitution of Sovereignty; namely, the Peace of the Subjects within themſelves, and their Defence againſt a common Enemy.

Subjects have Liberty to defend their own Bodies, even againſt them that lawfully invade them;

Firſt therefore, ſeeing Sovereignty by Inſtitution, is by Covenant of every one and to every one; and Sovereignty by Acquiſition, by Covenants of the Vanquiſhed to the Victor, or Child to the Parent; it is manifeſt, that every Subject has Liberty in all thoſe Things, the Right whereof cannot by Covenant be transferred. I have ſhewn before in Chap. XIV. that Covenants, not to defend a Man's own Body, are void. Therefore,

Are not bound to hurt themſelves;

If the Sovereign command a Man (though juſtly condemned) to kill, wound, or maim himſelf; or not to reſiſt thoſe that aſſault him; or to abſtain from the Uſe of Food, Air, Medicine, or any other Thing, without which he cannot live; yet hath that Man the Liberty to diſobey.

If a Man be interrogated by the Sovereign, or his Authority, concerning a Crime done by himſelf, he is not bound (without Aſſurance of Pardon) to confeſs it; becauſe no Man (as I have ſhewn in the ſame Chapter) can be obliged by Covenant to accuſe himſelf.

Again, the Conſent of a Subject to Sovereign Power, is contained in theſe Words, *I authoriſe, or take upon me, all his Actions*; in which there is no Reſtriction at all, of his own former natural Liberty: For by allowing him to *kill me*, I am not bound to kill myſelf when he commands me. 'Tis one Thing to ſay, *Kill me, or my Fellow, if you pleaſe*; another Thing to ſay, *I will kill myſelf, or my Fellow*. It followeth therefore, that

No Man is bound by the Words themſelves, either to kill himſelf, or any other Man; and conſequently, that the Obligation a Man may ſometimes have, upon the Command of the Sovereign to execute any dangerous or diſhonourable Office, dependeth not on the Words of our Submiſſion, but on the Intention, which is to be underſtood by the End thereof. When therefore our Refuſal to obey, fruſtrates the End for which the Sovereignty was ordained; then there is no Liberty to refuſe: otherwiſe there is.

Nor to Warfare, unleſs they voluntarily undertake it.

Upon this Ground, a Man that is commanded as a Soldier to fight againſt the Enemy, though his Sovereign have Right enough to puniſh his Refuſal with Death, may nevertheleſs in many Caſes refuſe, without Injuſtice; as when he ſubſtituteth a ſufficient Soldier in his Place: for in this Caſe he deſerteth not the Service of the Commonwealth. And there is Allowance to be made for natural Timorouſneſs, not only to Women, (of whom no ſuch dangerous Duty is expected) but alſo to Men of Feminine Courage. When Armies fight, there is on one Side, or both, a Running away; yet when they do it not out of Treachery, but Fear, they are not eſteemed to do it unjuſtly, but diſhonourably. For the ſame Reaſon, to avoid Battle, is not Injuſtice, but Cowardice. But he that inrolleth himſelf a Soldier, or taketh impreſt Money, taketh away the Excuſe of a timorous Nature; and is obliged not only to go to Battle, but alſo not to run from it, without his Captain's Leave. And when the Defence of the Commonwealth requireth at once the Help of all that are able to bear Arms, every one is obliged; becauſe otherwiſe the Inſtitution of the Commonwealth, which they have not the Purpoſe, nor Courage to preſerve, was in vain.

To reſiſt the Sword of the Commonwealth, in Defence of another Man, guilty, or innocent, no Man hath Liberty; becauſe ſuch Liberty takes away from the Sovereign the Means of protecting us; and is therefore deſtructive of the very Eſſence of Government. But in Caſe a great many Men together, have already reſiſted the Sovereign

Power unjuſtly, or committed ſome capital Crime, for which every one of them expecteth Death, whether have they not the Liberty then to join together, and aſſiſt, and defend one another? Certainly they have: For they but defend their Lives, which the guilty Man may as well do, as the innocent. There was indeed Injuſtice in the firſt Breach of their Duty; their bearing of Arms ſubſequent to it, though it be to maintain what they have done, is no new unjuſt Act. And if it be only to defend their Perſons, it is not unjuſt at all. But the Offer of Pardon taketh from them, to whom it is offered, the Plea of Self-defence, and maketh their Perſeverence in aſſiſting, or defending the reſt, unlawful.

The greateſt Liberty of Subjects, dependeth on the Silence of the Law.

As for other Liberties, they depend on the Silence of the Law. In Caſes where the Sovereign has preſcribed no Rule, there the Subject hath the Liberty to do, or forbear, according to his own Diſcretion. And therefore ſuch Liberty is in ſome Places more, and in ſome leſs; and in ſome Times more, in other Times leſs, according as they that have the Sovereignty ſhall think moſt convenient. As for Example, there was a Time, when in *England* a Man might enter into his own Land, and diſpoſſeſs ſuch as wrongfully poſſeſſed it, by Force. But in After-times that Liberty of forcible Entry, was taken away by a Statute made, by the King, in Parliament. And in ſome Places of the World, Men have the Liberty of many Wives: in other Places, ſuch Liberty is not allowed.

If a Subject have a Controverſy with his Sovereign, of Debt, or Right of Poſſeſſion of Lands or Goods, or concerning any Service required at his Hands, or concerning any Penalty corporal or pecuniary, grounded on a precedent Law; he hath the ſame Liberty to ſue for his Right, as if it were againſt a Subject: and before ſuch Judges as are appointed by the Sovereign. For ſeeing the Sovereign demandeth by Force of a former Law, and not by Virtue of his Power; he declareth thereby, that he requireth no more than ſhall appear to be due by that Law. The Suit therefore is not contrary to the Will of the Sovereign; and conſequently the Subject hath the Liberty to demand the Hearing of his Cauſe, and Sentence according to that Law. But if he demand, or take any thing by Pretence of his Power; there lieth in that Caſe no Action of Law: for all that is done by him in Virtue of his Power, is done by the Authority of every Subject, and conſequently, he that brings an Action againſt the Sovereign, brings it againſt himſelf.

If a Monarch, or Sovereign Aſſembly, grant a Liberty to all, or any of his Subjects; which Grant ſtanding, he is diſabled to provide for their Safety, the Grant is void; unleſs he directly renounce, or transfer the Sovereignty to another. For in that he might openly, (if it had been his Will) and in plain Terms, have renounced, or transferred it, and did not; it is to be underſtood it was his Will; but that the Grant proceeded from Ignorance of the Repugnancy between ſuch a Liberty and the Sovereign Power; and therefore the Sovereignty is ſtill retained; and conſequently all thoſe Powers, which are neceſſary to the exerciſing thereof, ſuch as are the Power of War, and Peace, of Judicature, of appointing Officers, and Counſellors, of levying Money, and the reſt named in the XVIII. Chapter.

In what Caſes Subjects are abſolved of their Obedience to their Sovereign.

The Obligation of Subjects to the Sovereign, is underſtood to laſt as long, and no longer, than the Power laſted, by which he is able to protect them. For the Right Men have by Nature to protect themſelves, when none elſe can protect them, can by no

Covenant be relinquiſhed. The Sovereignty is the Soul of the Commonwealth; which once departed from the Body, the Members do no more receive their Motion from it. The End of Obedience is Protection; which, wheresoever a Man ſeeth it, either in his own, or in another's Sword, Nature applieth his Obedience to it, and his Endeavour to maintain it. And though Sovereignty, in the Intention of them that make it, be immortal; yet is it in its own Nature, not only ſubject to violent Death, by foreign War; but alſo through the Ignorance, and Paſſions of Men, it hath in it, from the very Inſtitution, many Seeds of a natural Mortality, by inteſtine Diſcord.

In Caſe of Captivity.

If a Subject be taken Priſoner in War, or his Perſon, or his Means of Life be within the Guards of the Enemy, and he hath his Life and corporal Liberty given him, on Condition to be ſubject to the Victor, he hath Liberty to accept the Condition; and having accepted it, is the Subject of him that took him; becauſe he had no other Way to preſerve himſelf. The Caſe is the ſame, if he be detained on the ſame Terms, in a foreign Country. But if a Man be held in Priſon, or Bonds, or is not truſted with the Liberty of his Body; he cannot be underſtood to be bound by Covenant to Subjection; and therefore may, if he can, make his Eſcape by any Means whatſoever.

In Caſe the Sovereign caſt off the Government from himſelf and his Heirs.

If a Monarch ſhall relinquiſh the Sovereignty, both for himſelf and his Heirs; his Subjects return to the abſolute Liberty of Nature; becauſe, though Nature may declare who are his Sons, and who are the neareſt of his Kin; yet it dependeth on his own Will, (as hath been ſaid in the precedent Chapter) who ſhall be his Heir. If therefore he will have no Heir, there is no Sovereignty nor Subjection. The Caſe is the ſame, if he die without known Kindred, and without Declaration of his Heir. For then there can no Heir be known, and conſequently no Subjection be due.

In Caſe of Baniſhment.

If the Sovereign baniſh his Subject; during the Baniſhment, he is not Subject. But he that is ſent on a Meſſage, or hath Leave to travel, is ſtill Subject; but it is by Contract between Sovereigns, not by Virtue of the Covenant of Subjection. For whoſoever entereth into another's Dominion, is ſubject to all the Laws thereof; unleſs he have a Privilege by the Amity of the Sovereigns, or by ſpecial Licence.

In Caſe the Sovereign render himſelf ſubject to another.

If a Monarch ſubdued by War, render himſelf ſubject to the Victor; his Subjects are delivered from their former Obligation, and become obliged to the Victor. But if he be held Priſoner, or have not the Liberty of his own Body; he is not underſtood to have given away the Right of Sovereignty; and therefore his Subjects are obliged to yield Obedience to the Magiſtrates formerly placed, governing not in their own Name, but in his. For, his Right remaining, the Queſtion is only of the Adminiſtration; that is to ſay, of the Magiſtrates and Officers; which, if he have not Means to name, he is ſuppoſed to approve thoſe, which he himſelf had formerly appointed.

CHAP.

CHAP. XXII.

Of SYSTEMS, *Subject, Political, and Private.*

The divers Sorts of Syſtems of People.

HAVING ſpoken of the Generation, Form, and Power of a Commonwealth, I am in Order to ſpeak next of the Parts thereof. And firſt of Syſtems, which reſemble the ſimilar Parts or Muſcles of a Body natural. By *Syſtems,* I underſtand any Numbers of Men joined in one Intereſt, or one Buſineſs; of which, ſome are *regular,* and ſome *irregular. Regular* are thoſe, where one Man, or Aſſembly of Men, is conſtituted Repreſentative of the whole Number. All others are *irregular.*

Of regular, ſome are *abſolute* and *independent,* ſubject to none but their own Repreſentative: ſuch are only Commonwealths; of which I have ſpoken already in the five laſt precedent Chapters. Others are dependent; that is to ſay, ſubordinate to ſome Sovereign Power, to which every one, as alſo their Repreſentative, is *ſubject.*

Of Syſtems ſubordinate, ſome are *political,* and ſome *private. Political* (otherwiſe called *Bodies Politic,* and *Perſons in Law)* are thoſe, which are made by Authority from the Sovereign Power of the Commonwealth. *Private,* are thoſe, which are conſtituted by Subjects amongſt themſelves, or by Authority from a Stranger. For no Authority derived from foreign Power, within the Dominion of another, is public there, but private.

And of private Syſtems, ſome are *lawful*; ſome *unlawful: Lawful,* are thoſe which are allowed by the Commonwealth: All others are *unlawful. Irregular* Syſtems, are thoſe which having no Repreſentative, conſiſt only in Concourſe of People; which if not forbidden by the Commonwealth, nor made an evil Deſign (ſuch as are Conflux of People to Markets, or Shows, or any other harmleſs End) are lawful. But when the Intention is evil, or (if the Number be conſiderable) unknown, they are unlawful.

In all Bodies Politic the Power of the Repreſentative is limited.

In Bodies Politic, the Power of the Repreſentative is always limited: and that which preſcribeth the Limits thereof, is the Power Sovereign. For Power unlimited, is abſolute Sovereignty. And the Sovereign in every Commonwealth is the Repreſentative of all the Subjects; and therefore no other can be Repreſentative of any Part of them, but ſo far-forth as he ſhall give Leave: And to give Leave to a Body Politic of Subjects, to have an abſolute Repreſentative to all Intents and Purpoſes, were to abandon the Government of ſo much of the Commonwealth, and to divide their Dominion, contrary to their Peace and Defence; which the Sovereign cannot be underſtood to do, by any Grant that does not plainly and directly diſcharge them of their Subjection. For Conſequences of Words, are not the Signs of his Will, when other Conſequences are Signs of the contrary; but rather Signs of Error and Miſreckoning, to which all Mankind is too prone.

The Bounds of that Power, which is given to the Repreſentative of a Body Politic, are to be taken Notice of from two Things. One is their Writ, or Letters from the Sovereign; the other is the Law of the Commonwealth.

By Letters Patent;

For though in the Inſtitution or Acquiſition of a Commonwealth, which is independent, there needs no Writing, becauſe the Power of the Repreſentative has there no other Bounds, but ſuch as are ſet out by the unwritten Law of Nature; yet in ſubordinate Bodies there are ſuch Diverſities of Limitation neceſſary, concerning their Buſineſſes, Times, and Places, as can neither be remembered without Letters, nor be taken Notice of, unleſs ſuch Letters be Patent, that they may be read to them, and withal ſealed or teſtified with the Seals or other permanent Signs of the Authority Sovereign.

And the Laws.

And becauſe ſuch Limitation is not always eaſy, or perhaps poſſible to be deſcribed in Writing; the ordinary Laws, common to all Subjects, muſt determine what the Repreſentative may lawfully do, in all Caſes, where the Letters themſelves are ſilent. And therefore

When the Repreſentative is one Man, his unwarranted Acts are his own only.

In a Body Politic, if the Repreſentative be one Man, whatſoever he does in the Perſon of the Body, which is not warranted in his Letters, nor by the Laws, is his own Act, and not the Act of the Body, nor of any other Member thereof beſides himſelf: Becauſe further than his Letters, or the Laws limit, he repreſenteth no Man's Perſon, but his own. But what he does according to theſe, is the Act of every one: For of the Act of the Sovereign every one is Author, becauſe he is their Repreſentative unlimited; and the Act of him that recedes not from the Letters of the Sovereign, is the Act of the Sovereign, and therefore every Member of the Body is Author of it.

When it is an Aſſembly, it is the Act of them that aſſented only.

But if the Repreſentative be an Aſſembly, whatſoever that Aſſembly ſhall decree, not warranted by their Letters, or the Laws, is the Act of the Aſſembly, or Body Politic, and the Act of every one by whoſe Vote the Decree was made; but not the Act of any Man that being preſent voted to the contrary; nor of any Man abſent, unleſs he voted it by Procuration. It is the Act of the Aſſembly, becauſe voted by the major part; and if it be a Crime, the Aſſembly may be puniſhed, as far-forth as it is capable, as by Diſſolution, or Forfeiture of their Letters, (which is to ſuch artificial and fictitious Bodies capital) or, if the Aſſembly have a common Stock, wherein none of the innocent Members have Propriety, by pecuniary Mulct: For from corporal Penalties Nature hath exempted all Bodies Politic. But they that gave not their Vote, are therefore innocent, becauſe the Aſſembly cannot repreſent any Man in Things unwarranted by their Letters, and conſequently are not involved in their Votes.

When the Repreſentative is one Man, if he borrow Money, or owe it, by Contract; he is liable only, the Members not.

If the Perſon of the Body Politic being in one Man, borrow Money of a Stranger, that is, of one that is not of the ſame Body, (for no Letters need limit borrowing, ſeeing it is left to Men's own Inclinations to limit lending) the Debt is the Repreſentative's. For if he ſhould have Authority from his Letters, to make the Members pay what he borroweth, he ſhould have by Conſequence the Sovereignty of them; and therefore the Grant were either void, as proceeding from Error, commonly incident to human Nature, and an inſufficient Sign of the Will of the Granter; or if it be avowed by him, then is the Repreſenter Sovereign, and falleth not under the preſent Queſtion, which is only of Bodies ſubordinate. No Member therefore is obliged to pay the Debt ſo borrowed, but the Repreſentative himſelf: becauſe he that lendeth it, being a Stranger to the Letters, and to the Qualification of the Body, underſtandeth thoſe only for his Debtors, that are engaged; and ſeeing the Repreſenter can engage himſelf, and none elſe, has him only for Debtor; who muſt therefore pay him out of the common Stock, if there be any, or, if there be none, out of his own Eſtate.

If he come into Debt by Contract or Mulct, the Caſe is the ſame.

When it is an Aſſembly, they only are liable that have aſſented.

But when the Repreſentative is an Aſſembly, and the Debt to a Stranger; all they, and only they are reſponſible for the Debt, that gave their Votes to the borrowing of it, or to the Contract that made it due, or to the Fact for which the Mulct was impoſed; becauſe every one of thoſe in voting did engage himſelf for the Payment: For he that is Author of the borrowing, is obliged to the Payment, even of the whole Debt, though when paid by any one, he be diſcharged.

If the Debt be to one of the Aſſembly, the Body only is obliged.

But if the Debt be to one of the Aſſembly, the Aſſembly only is obliged to the Payment, out of their common Stock, if they have any: For having Liberty of Vote, if he vote the Money ſhall be borrowed, he votes it ſhall be paid; if he vote it ſhall not be borrowed, or be abſent, yet becauſe in lending, he voteth the borrowing, he contradicteth his former Vote, and is obliged by the latter, and becomes both Borrower and Lender, and conſequently cannot demand Payment from any particular Man, but from the common Treaſure only; which failing, he hath no Remedy nor Complaint, but againſt himſelf, that being privy to the Acts of the Aſſembly, and to their Means to pay, and not being enforced, did nevertheleſs through his own Folly lend his Money.

Proteſtation againſt the Decrees of Bodies Politic ſometimes lawful, but againſt Sovereign Power never.

It is manifeſt by this, that in Bodies Politic ſubordinate, and ſubject to a Sovereign Power, it is ſometimes not only lawful, but expedient, for a particular Man to make open Proteſtation againſt the Decrees of the Repreſentative Aſſembly, and cauſe their Diſſent to be regiſter'd, or to take Witneſs of it; becauſe otherwiſe they may be obliged to pay Debts contracted, and be reſponſible for Crimes committed by other Men: But in a Sovereign Aſſembly, that Liberty is taken away, both becauſe he that proteſteth there, denies their Sovereignty; and alſo becauſe whatſoever is commanded by the Sovereign Power, is as to the Subject (though not ſo always in the Sight of God) juſtified by the Command; for of ſuch Command every Subject is the Author.

Bodies Politic for Government of a Province, Colony, or Town.

The Variety of Bodies politic, is almoſt infinite: for they are not only diſtinguiſhed by the ſeveral Affairs, for which they are conſtituted, wherein there is an unſpeakable Diverſity; but alſo by the Times, Places, and Numbers, ſubject to many Limitations. And as to their Affairs, ſome are ordained for Government; as firſt, the Government of a Province may be committed to an Aſſembly of Men, wherein all Reſolutions ſhall depend on the Votes of the major Part; and then this Aſſembly is a Body Politic, and their Power limited by Commiſſion. This word Province ſignifies a Charge, or Care of Buſineſs, which he whoſe Buſineſs it is, committeth to another Man, to be adminiſter'd for, and under him; and therefore when in one Commonwealth there be divers Countries, that have their Laws diſtinct one from another, or are far diſtant in Place, the Adminiſtration of the Government being committed to divers Perſons, thoſe Countries where the Sovereign is not reſident, but governs by Commiſſion, are called Provinces. But of the Government of a Province, by an Aſſembly reſiding in the Province itſelf, there be few Examples. The *Romans* who had the Sovereignty of many Provinces, yet governed them always by Preſidents and Prætors; and not by Aſſemblies, as they governed the City of *Rome*, and Territories adjacent. In like manner, when there were Colonies ſent from *England* to plant *Virginia*, and *Sommer-Iſlands*; though the Government of them here, were committed to Aſſemblies in *London*, yet did thoſe Aſſemblies never commit the Government under them to any Aſſembly there; but did to each Plantation ſend one Governor: For though every Man, where he can be preſent by Nature, deſires to participate of Government; yet where they cannot be preſent, they are by Nature alſo inclined, to commit the Government of their common Intereſt rather to a monarchical than a popular Form of Government: which is alſo evident in thoſe Men that have great private Eſtates; who when they are unwilling to take the Pains of adminiſtering the Buſineſs that belongs to them, chuſe rather to truſt one Servant, than an Aſſembly either of their Friends or Servants. But howſoever it be in Fact, yet we may ſuppoſe the Government of a Province, or Colony committed to an Aſſembly: and when it is, that which in this Place I have to ſay, is this; that whatſoever Debt is by that Aſſembly contracted, or whatſoever unlawful Act is decreed, is the Act of thoſe that aſſented, and not of any that diſſented, or were abſent, for the Reaſons before alledged. Alſo that an Aſſembly reſiding out of the Bounds of that Colony whereof they have the Government, cannot execute any Power over the Perſons, or Goods of any of the Colony, to ſeize on them for Debt, or other Duty in any Place without the Colony itſelf, as having no Juriſdiction, nor Authority elſewhere, but are left to the Remedy, which the Law of the Place alloweth them. And though the Aſſembly have Right to impoſe a Mulct upon any of their Members, that ſhall break the Laws they make; yet out of the Colony itſelf, they have no Right to execute the ſame. And that which is ſaid here, of the Rights of an Aſſembly, for the Government of a Province, or a Colony, is appliable alſo to an Aſſembly for the Government of a Town, an Univerſity, or a College, or a Church, or other Government over the Perſons of Men.

And generally, in all Bodies Politic, if any particular Member conceive himſelf injured by the Body itſelf, the Cognizance of his Cauſe belongeth to the Sovereign, and thoſe the Sovereign hath ordained for Judges in ſuch Cauſes, or ſhall ordain for that particular Cauſe; and not to the Body itſelf. For the whole Body is in this Caſe his Fellow Subject, which in a Sovereign Aſſembly is otherwiſe: for there, if the Sovereign be not Judge, though in his own Cauſe, there can be no Judge at all.

Bodies Politic for ordering of Trade.

In a Body Politic, for the well-ordering of foreign Traffic, the moſt commodious Repreſentative is an Aſſembly of all the Members; that is to ſay, ſuch a one, as every one that adventureth his Money, may be preſent at all the Deliberations, and Reſolutions of the Body, if they will themſelves. For Proof whereof, we are to conſider the End for which Men that are Merchants, and may buy and ſell, export and import their Merchandiſe, according to their Diſcretions, do nevertheleſs bind themſelves up in one Corporation. It is true, there be few Merchants, that with the Merchandiſe they buy at Home, can freight a Ship, to export it; or with that they buy Abroad, to bring it Home; and have therefore Need to join together in one Society; where every Man may either participate of the Gain, according to the Proportion of his Adventure; or take his own, and ſell what he tranſports or imports, at ſuch Prices as he thinks fit. But this is no Body Politic, there being no common Repreſentative to oblige them to any other Law, than that which is common to all other Subjects. The End of their Incorporating is to make their Gain the greater; which is done two Ways; by ſole buying, and ſole ſelling, both at Home and Abroad. So that to grant to a Company of Merchants to be a Corporation, or Body Politic, is to grant them a double Monopoly, whereof one is to be ſole Buyers, another to be ſole Sellers. For when there is a Company incorporate for any particular foreign Country, they only export the Commodities vendible in that Country; which is ſole buying at Home, and ſole ſelling Abroad. For at Home there is but one Buyer, and Abroad but one that ſelleth: both which is gainful to the Merchant, becauſe thereby they buy at Home at lower, and ſell Abroad at higher Rates: And Abroad there is but one Buyer of foreign Merchandiſe, and but one that ſells them at Home; both which again are gainful to the Adventurers.

Of this double Monopoly one Part is diſadvantageous to the People at Home, the other to Foreigners. For at Home by their ſole Exportation they ſet what Price they pleaſe on the Huſbandry, and Handyworks of the People; and by the ſole Importation, what Price they pleaſe on all foreign Commodities the People have Need of; both which are ill for the People. On the contrary, by the ſole ſelling of the native Commodities Abroad, and ſole buying the foreign Commodities upon the Place, they raiſe the Price of thoſe, and abate the Price of theſe, to the Diſadvantage of the Foreigner: For where but one ſelleth, the Merchandiſe is the dearer; and where but one buyeth, the cheaper: Such Corporations therefore are no other than Monopolies; though they would be very profitable for a Commonwealth, if being bound up into one Body in foreign Markets they were at Liberty at Home, every Man to buy and ſell at what Price he could.

The End then of theſe Bodies of Merchants, being not a common Benefit to the whole Body, (which have in this Caſe no common Stock, but what is deducted out of the particular Adventures, for building, buying, victualling and manning of Ships) but the particular Gain of every Adventurer, it is Reaſon that every one be acquainted with the Employment of his own; that is, that every one be of the Aſſembly, that ſhall have the Power to order the ſame; and be acquainted with their Accounts. And therefore the Repreſentative of ſuch a Body muſt be an Aſſembly, where every Member of the Body may be preſent at the Conſultations, if he will.

If a Body Politic of Merchants, contract a Debt to a Stranger by the Act of their Repreſentative Aſſembly, every Member is liable by himſelf for the whole. For a Stranger can take no notice of their private Laws, but conſidereth them as ſo many particular Men, obliged every one to the whole Payment, till Payment made by one diſchargeth all the reſt: But if the Debt be to one of the Company, the Creditor is Debtor for the whole to himſelf, and cannot therefore demand his Debt, but only from the common Stock, if there be any.

If the Commonwealth impoſe a Tax upon the Body, it is underſtood to be laid upon every Member proportionably to his particular Adventure in the Company. For there is in this Caſe no other common Stock, but what is made of their particular Adventures.

If a Mulct be laid upon the Body for ſome unlawful Act, they only are liable by whoſe Votes the Act was decreed, or by whoſe Aſſiſtance it was executed; for in none of the reſt is there any other Crime but being of the Body; which if a Crime, (becauſe the Body was ordained by the Authority of the Commonwealth) is not his.

If one of the Members be indebted to the Body, he may be ſued by the Body; but his Goods cannot be taken, nor his Perſon impriſoned by the Authority of the Body; but only by Authority of the Commonwealth: for if they can do it by their own Authority, they can by their own Authority give Judgment that the Debt is due, which is as much as to be Judge in their own Cauſe.

A Body Politic for Counſel to be given to the Sovereign.

Theſe Bodies made for the Government of Men, or of Traffic, be either perpetual, or for a time preſcribed by Writing. But there be Bodies alſo whoſe Times are limited, and that only by the Nature of their Buſineſs. For Example, if a Sovereign Monarch, or a Sovereign Aſſembly, ſhall think fit to give Command to the Towns, and other ſeveral Parts of their Territory, to ſend to him their Deputies, to inform him of the Condition, and Neceſſities of the Subjects, or to adviſe with him for the making of good Laws, or for any other Cauſe, as with one Perſon repreſenting the whole Country, ſuch Deputies having a Place and Time of meeting aſſigned them, are there, and at that Time a Body Politic, repreſenting every Subject of that Dominion; but it is only for ſuch Matters as ſhall be propounded unto them by that Man, or Aſſembly, that by the Sovereign Authority ſent for them; and when it ſhall be declared that nothing more ſhall be propounded, nor debated by them, the Body is diſſolved. For if they were the abſolute Repreſentative of the People, then were it the Sovereign Aſſembly, ; and ſo there would be two Sovereign Aſſemblies, or two Sovereigns over the ſame People; which cannot conſiſt with their Peace. And therefore where there is once a Sovereignty, there can be no abſolute Repreſentation of the People, but by it. And for the Limits of how far ſuch a Body ſhall repreſent the whole People, they are ſet forth in the Writing by which they were ſent for. For the People cannot chuſe their Deputies to other Intent than is in the Writing directed to them from their Sovereign expreſſed.

A regular private Body, lawful, as a Family.

Private Bodies, regular and lawful, are thoſe that are conſtituted without Letters, or other written Authority, ſaving the Laws common to all other Subjects. And becauſe they be united in one Perſon Repreſentative, they are held for regular; ſuch as are all Families, in which the Father or Maſter ordereth the whole Family. For he obligeth his Children and Servants, as far as the Law permitteth, though not further, becauſe none of them are bound to Obedience in thoſe Actions, which the Law hath forbidden to be done. In all other Actions, during the Time they are under domeſtic Government, they are ſubject to their Fathers and Maſters, as to their immediate Sovereigns. For their Father and Maſter being before the Inſtitution of Commonwealth, abſolute Sovereigns in their own Families, they loſe afterward no more of their Authority than the Law of the Commonwealth taketh from them.

Private Bodies regular, but unlawful.

Private Bodies, regular, but unlawful, are thoſe that unite themſelves into one Perſon Repreſentative, without any public Authority at all; ſuch as are the Corporations of Beggars, Thieves, and Gipſies, the better to order their Trade of Begging and Stealing; and the Corporations of Men, that by Authority from any other Perſon, unite themſelves in another's Dominion, for the eaſier propagating of Doctrines, and for making a Party againſt the Power of the Commonwealth.

Syſtems irregular, ſuch as are private Leagues.

Irregular Syſtems, in their Nature, but Leagues, or ſometimes mere Concourſe of People, without Union to any particular Deſign, nor by Obligation of one to another, but proceeding only from a Similitude of Wills and Inclinations, become lawful or unlawful, according to the Lawfulneſs or Unlawfulneſs of every particular Man's Deſign therein: And his Deſign is to be underſtood by the Occaſion.

The Leagues of Subjects (becauſe Leagues are commonly made for mutual Defence) are in a Commonwealth (which is no more than a League of all the Subjects together) for the moſt part unneceſſary, and ſavour of unlawful Deſign; and are for that Cauſe unlawful, and go commonly by the Name of Factions, or Conſpiracies. For a League being a Connexion of Men by Covenants, if there be no Power given to any one Man, or Aſſembly (as in the Condition of mere Nature) to compel them to Performance, is ſo long only valid, as there ariſeth no juſt Cauſe of Diſtruſt: and therefore Leagues between Commonwealths, over whom there is no human Power eſtabliſhed, to keep them all in Awe, are not only lawful, but alſo profitable for the Time they laſt. But Leagues of the Subjects of one and the ſame Commonwealth,

wealth, where every one may obtain his Right by Means of the Sovereign Power, are unneceſſary to the maintaining of Peace and Juſtice, and (in Caſe the Deſign of them be evil, or unknown to the Commonwealth) unlawful. For all uniting of Strength by private Men, is, if for evil Intent, unjuſt; if for Intent unknown, dangerous to the Public, and unjuſtly concealed.

Secret Cabals.

If the Sovereign Power be in a great Aſſembly, and a Number of Men, part of the Aſſembly, without Authority, conſult apart to contrive the Guidance of the reſt; this is a Faction, or Conſpiracy unlawful, as being a fraudulent ſeducing of the Aſſembly for their particular Intereſt. But if he, whoſe private Intereſt is to be debated, and judged in the Aſſembly, make as many Friends as he can, in him it is no Injuſtice; becauſe in this Caſe he is no Part of the Aſſembly. And though he hire ſuch Friends with Money (unleſs there be an expreſs Law againſt it) yet it is not Injuſtice. For ſometimes (as Mens Manners are) Juſtice cannot be had without Money; and every Man may think his own Cauſe juſt, till it be heard, and judged.

Feuds of private Families.

In all Commonwealths, if a private Man entertain more Servants, than the Government of his Eſtate, and lawful Employment he has for them requires, it is Faction, and unlawful. For having the Protection of the Commonwealth, he needeth not the Defence of private Force. And whereas in Nations not thoroughly civilized, ſeveral numerous Families have lived in continual Hoſtility, and invaded one another with private Force; yet it is evident enough, that they have done unjuſtly; or elſe that they had no Commonwealth.

Factions for Government.

And as Factions for Kindred, ſo alſo Factions for Government of Religion, as of Papiſts, Proteſtants, *&c.* or of State, as Patricians and Plebeians of old time in *Rome*, and of Ariſtocraticals and Democraticals of old time in *Greece*, are unjuſt, as being contrary to the Peace and Safety of the People, and a taking of the Sword out of the Hand of the Sovereign.

Concourſe of People, is an irregular Syſtem, the Lawfulneſs or Unlawfulneſs whereof dependeth on the Occaſion, and on the Number of them that are aſſembled. If the Occaſion be lawful and manifeſt, the Concourſe is lawful; as the uſual meeting of Men at Church, or at a publick Show, in uſual Numbers: for if the Numbers be extraordinary great, the Occaſion is not evident; and conſequently he that cannot render a particular and good Account of his being amongſt them, is to be judged conſcious of an unlawful and tumultuous Deſign. It may be lawful for a thouſand Men to join in a Petition to be delivered to a Judge or Magiſtrate; yet if a thouſand Men come to preſent it, it is a tumultuous Aſſembly; becauſe there needs but one or two for that Purpoſe. But in ſuch Caſes as theſe, it is not a ſet Number that makes the Aſſembly unlawful, but ſuch a Number, as the preſent Officers are not able to ſuppreſs and bring to Juſtice.

When an unuſual Number of Men aſſemble againſt a Man whom they accuſe, the Aſſembly is an unlawful Tumult; becauſe they may deliver their Accuſation to the Magiſtrate by a few, or by one Man. Such was the Caſe of St. *Paul* at *Epheſus*; where *Demetrius*, and a great Number of other Men, brought two of *Paul*'s Companions before the Magiſtrate, ſaying with one Voice, *Great is Diana of the Epheſians*; which was their way of demanding Juſtice againſt them for teaching the People ſuch Doctrine, as was againſt their Religion and Trade. The Occaſion here, conſidering the Laws of that People, was juſt; yet was their Aſſembly judged unlawful, and the Magiſtrate reprehended them for it, in theſe Words: * *If Demetrius, and the other Workmen, can accuſe*

* Acts xix. 40.

cuſe any Man of any thing, there be Pleas, and Deputies, let them accuſe one another. And if you have any other thing to demand, your Caſe may be judged in an Aſſembly lawfully called. For we are in Danger to be accuſed for this Day's Sedition, becauſe, there is no Cauſe by which any Man can render any Reaſon of this Concourſe of People. Where he calleth an Aſſembly, whereof Men can give no juſt Account, a Sedition, and ſuch as they could not anſwer for. And this is all I ſhall ſay concerning *Syſtems*, and Aſſemblies of People, which may be compared, as I ſaid, to the ſimilar Parts of a Man's Body; ſuch as be lawful, to the Muſcles; ſuch as are unlawful, to Wens, Biles, and Apoſtemes, engender'd by the unnatural Conflux of evil Humours.

CHAP. XXIII.

Of the PUBLIC MINISTERS *of Sovereign Power.*

IN the laſt Chapter I have ſpoken of the ſimilar Parts of a Commonwealth: In this I ſhall ſpeak of the Parts Organical, which are Public Miniſters.

Public Miniſter, who.

A *Public Miniſter* is he, that by the Sovereign, (whether a Monarch or an Aſſembly) is employ'd in any Affairs, with Authority to repreſent in that Employment, the Perſon of the Commonwealth. And whereas every Man, or Aſſembly that hath Sovereignty, repreſenteth two Perſons, or (as the more common Phraſe is) has two Capacities, one Natural, and another Political, (as a Monarch hath the Perſon not only of the Commonwealth, but alſo of a Man; and a Sovereign Aſſembly hath the Perſon not only of the Commonwealth, but alſo of the Aſſembly); they that be Servants to them in their natural Capacity, are not Public Miniſters; but thoſe only that ſerve them in the Adminiſtration of the public Buſineſs. And therefore neither Uſhers, nor Serjeants, nor other Officers that wait on the Aſſembly, for no other Purpoſe, but for the Commodity of the Men aſſembled, in an Ariſtocracy, or Democracy; nor Stewards, Chamberlains, Cofferers, or any other Officers of the Houſhold of a Monarch, are Public Miniſters in a Monarchy.

Miniſters for the general Adminiſtration.

Of Public Miniſters, ſome have Charge committed to them of a general Adminiſtration, either of the whole Dominion, or of a Part thereof. Of the whole, as to a Protector, or Regent, may be committed by the Predeceſſor of an Infant King, during his Minority, the whole Adminiſtration of his Kingdom. In which Caſe, every Subject is ſo far obliged to Obedience, as the Ordinances he ſhall make, and the Commands he ſhall give, be in the King's Name, and not inconſiſtent with his Sovereign Power. Of a Part, or Province; as when either a Monarch, or Sovereign Aſſembly, ſhall give the general Charge thereof to a Governor, Lieutenant, Præfect or Vice-Roy: And in this Caſe alſo, every one in that Province is obliged to all he ſhall do in the Name of the Sovereign, and that is not incompatible with the Sovereign's Right. For ſuch Protectors, Vice-Roys, and Governors, have no other Right, but what depends on the Sovereign's Will; and no Commiſſion that can be given them, can be interpreted for a Declaration of the Will to transfer the Sovereignty, without expreſs and perſpicuous Words to that

Purpoſe. And this kind of Public Miniſters reſembleth the Nerves and Tendons, that move the ſeveral Limbs of a Body natural.

For ſpecial Adminiſtration, as for Oeconomy.

Others have ſpecial Adminiſtration; that is to ſay, Charges of ſome ſpecial Buſineſs, either at home or abroad. As at home: Firſt, for the Oeconomy of a Commonwealth, they that have Authority concerning the *Treaſure*, as Tributes, Impoſitions, Rents, Fines, or whatſoever public Revenue, to collect, receive, iſſue, or take the Accounts thereof, are Public Miniſters: Miniſters, becauſe they ſerve the Perſon repreſentative, and can do nothing againſt his Command, nor without his Authority: Public, becauſe they ſerve him in his political Capacity.

Secondly, They that have Authority concerning the *Militia*; to have the Cuſtody of Arms, Forts, Ports; to levy, pay, or conduct Soldiers; or to provide for any neceſſary Thing for the Uſe of War, either by Land or Sea, are public Miniſters. But a Soldier without Command, though he fight for the Commonwealth, does not therefore repreſent the Perſon of it; becauſe there is none to repreſent it to. For every one that hath Command, repreſents it to them only whom he commandeth.

For Inſtruction of the People.

They alſo that have Authority to teach, or to enable others to teach the People their Duty to the Sovereign Power, and inſtruct them in the Knowledge of what is juſt and unjuſt, thereby to render them more apt to live in Godlineſs, and in Peace amongſt themſelves, and reſiſt the public Enemy, are Public Miniſters: Miniſters, in that they do it not by their own Authority, but by another's; and Public, becauſe they do it, or ſhould do it, by no Authority, but that of the Sovereign. The Monarch, or the Sovereign Aſſembly only, hath immediate Authority from God, to teach and inſtruct the People; and no Man but the Sovereign, receiveth his Power *Dei gratiâ* ſimply; that is to ſay, from the Favour of none but God: All other, receive theirs from the Favour and Providence of God, and their Sovereigns; as in a Monarchy, *Dei gratiâ & Regis*; or, *Dei providentiâ & voluntate Regis*.

For Judicature.

They alſo to whom Juriſdiction is given, are Public Miniſters. For in their Seats of Juſtice they repreſent the Perſon of the Sovereign; and their Sentence, is his Sentence: For, as hath been before declared, all Judicature is eſſentially annexed to the Sovereignty; and therefore all other Judges are but Miniſters of him, or them that have the Sovereign Power. And as Controverſies are of two ſorts, namely, of *Fact* and of *Law*; ſo are Judgments, ſome of Fact, ſome of Law: And conſequently in the ſame Controverſy, there may be two Judges, one of Fact, another of Law.

And in both theſe Controverſies, there may ariſe a Controverſy between the Party judged, and the Judge; which becauſe they be both Subjects to the Sovereign, ought in Equity to be judged by Men agreed on by Conſent of both; for no Man can be Judge in his own Cauſe. But the Sovereign is already agreed on for Judge by them both, and is therefore either to hear the Cauſe, and determine it himſelf, or appoint for Judge ſuch as they ſhall both agree on. And this Agreement is then underſtood to be made between them divers ways; as firſt, if the Defendant be allowed to except againſt ſuch of his Judges, whoſe Intereſt maketh him ſuſpect them, (for as to the Complainant, he hath already choſen his own Judge) thoſe which he excepteth not againſt, are Judges, he himſelf agrees on. Secondly, If he appeal to any other Judge, he can appeal no further; for his Appeal is his Choice. Thirdly, If he appeal to the Sovereign himſelf, and he by himſelf, or by Delegates which the Parties ſhall agree on, give Sentence; that Sentence is final: for the Defendant is judged by his own Judges, that is to ſay, by himſelf.

Theſe Properties of juſt and rational Judicature conſidered, I cannot forbear to obſerve the excellent Conſtitution of the Courts of Juſtice, eſtabliſhed both for common, and alſo for public Pleas, in *England*. By common Pleas, I mean thoſe, where both the Complainant and Defendant are Subjects: and by public, (which are alſo called Pleas of the Crown) thoſe, where the Complainant is the Sovereign. For whereas there were two Orders of Men, whereof one was Lords, and the other Commons; the Lords had this Privilege, to have for Judges in all capital Crimes, none but Lords; and of them, as many as would be preſent; which being ever acknowledged as a Privilege of Favour, their Judges were none but ſuch as they had themſelves deſired. And in all Controverſies, every Subject (as alſo in civil Controverſies the Lords) had for Judges, Men of the Country where the Matter in Controverſy lay; againſt which he might make his Exceptions, till at laſt twelve Men without Exception being agreed on, they were judged by thoſe twelve. So that having his own Judges, there could be nothing alledged by the Party, why the Sentence ſhould not be final. Theſe public Perſons, with Authority from the Sovereign Power, either to inſtruct or judge the People, are ſuch Members of the Commonwealth, as may fitly be compared to the Organs of Voice in a Body natural.

For Execution.

Public Miniſters are alſo all thoſe, that have Authority from the Sovereign, to procure the Execution of Judgments given; to publiſh the Sovereign's Commands; to ſuppreſs Tumults; to apprehend, and impriſon Malefactors; and other Acts tending to the Conſervation of the Peace. For every Act they do by ſuch Authority, is the Act of the Commonwealth; and their Service, anſwerable to that of the Hands in a Body natural.

Public Miniſters abroad, are thoſe that repreſent the Perſon of their own Sovereign, to foreign States. Such are Ambaſſadors, Meſſengers, Agents, and Heralds, ſent by public Authority, and on public Buſineſs.

But ſuch as are ſent by Authority only of ſome private Party of a troubled State, though they be received, are neither public nor private Miniſters of the Commonwealth; becauſe none of their Actions have the Commonwealth for Author. Likewiſe, an Ambaſſador ſent from a Prince to congratulate, condole, or to aſſiſt at a Solemnity, though the Authority be public; yet becauſe the Buſineſs be private, and belonging to him in his natural Capacity; he is a private Perſon. Alſo if a Man be ſent into another Country, ſecretly to explore their Counſels, and Strength; though both the Authority and the Buſineſs be public, yet becauſe there is none to take Notice of any Perſon in him, but his own, he is but a private Miniſter; but yet a Miniſter of the Commonwealth; and may be compared to an Eye in the Body natural. And thoſe that are appointed to receive the Petitions or other Informations of the People, and are as it were the public Ear, are public Miniſters, and repreſent their Sovereign in that Office.

Counſellors without other Employment than to adviſe, are not public Miniſters.

Neither a Counſellor, nor a Council of State, if we conſider it with no Authority of Judicature or Command, but only of giving Advice to the Sovereign when it is required, or of offering it when it is not required, is a public Perſon. For the Advice is addreſſed to the Sovereign only, whoſe Perſon cannot in his own Preſence be repreſented to him by another. But a Body of Counſellors are never without ſome other Authority, either of Judicature, or of immediate Adminiſtration: As in a Monarchy, they repreſent the Monarch, in delivering his Commands to the public Miniſters: In a Democracy, the Council or Senate propounds the Reſult of their Deliberations to the People, as a Council;

Counſel; but when they appoint Judges, or hear Cauſes, or give Audience to Ambaſſadors, it is in the Quality of a Miniſter of the People: And in an Ariſtocracy, the Council of State is the Sovereign Aſſembly itſelf; and gives Counſel to none but themſelves.

CHAP. XXIV.

Of the NUTRITION, *and* PROCREATION *of a Commonwealth.*

The Nouriſhment of a Commonwealth, conſiſteth in the Commodities of Sea and Land;

THE *Nutrition* of a Commonwealth, conſiſteth in the *Plenty*, and *Diſtribution* of *Materials* conducing to Life: In *Concoction* or *Preparation*; and (when concocted) in the *Conveyance* of it, by convenient Conduits, to the public Uſe.

As for the plenty of Matter, it is a Thing limited by Nature, to thoſe Commodities, which from (the two Breaſts of our common Mother) Land and Sea, God uſually either freely giveth, or for Labour ſelleth to Mankind.

For the Matter of this Nutriment, conſiſting in Animals, Vegetables, and Minerals, God hath freely laid them before us, in or near to the Face of the Earth; ſo as there needeth no more but the Labour, and Induſtry of receiving them. Inſomuch as Plenty dependeth (next to God's Favour) merely on the Labour and Induſtry of Men.

This Matter, commonly called Commodities, is partly *Native*, and partly *Foreign*: *Native*, that which is to be had within the Territory of the Commonwealth: *Foreign*, that which is imported from without. And becauſe there is no Territory under the Dominion of one Commonwealth, (except it be of very vaſt Extent) that produceth all Things needful for the Maintenance, and Motion of the whole Body; and few that produce not ſomething more than neceſſary; the ſuperfluous Commodities to be had within, become no more ſuperfluous, but ſupply theſe Wants at Home, by Importation of that which may be had from Abroad, either by Exchange, or by juſt War, or by Labour: for a Man's Labour alſo, is a Commodity exchangeable for Benefit, as well as any other Thing: And there have been Commonwealths that having no more Territory, than hath ſerved them for Habitation, have nevertheleſs, not only maintained, but alſo increaſed their Power, partly by the Labour of Trading from one Place to another, and partly by ſelling the Mafactures, whereof the Materials were brought in from other Places.

And the right Diſtribution of them.

The Diſtribution of the Materials of this Nouriſhment, is the Conſtitution of *Mine*, and *Thine*, and *His*; that is to ſay, in one Word, *Propriety*; and belongeth in all Kinds of Commonwealth to the Sovereign Power. For where there is no Commonwealth, there is (as hath been already ſhewn) a perpetual War of every Man againſt his Neighbour; and therefore every Thing is his that getteth it, and keepeth it by Force; which is neither *Propriety*, nor *Community*; but *Uncertainty*. Which is ſo evident, that even *Cicero*, (a paſſionate Defender of Liberty) in a public Pleading, attributeth all Propriety to the Law Civil: *Let the Civil Law*, ſaith he, *be once abandoned, or but negligently guarded, (not to ſay oppreſſed) and there is nothing, that any Man can be ſure to receive from his Anceſtor, or leave to his Children.* And again; *Take away the Civil Law, and no Man knows what is his own, and what another Man's.* Seeing therefore the Introduction of *Propriety* is an

Effect of Commonwealth, which can do nothing but by the Perſon that repreſents it, it is the Act only of the Sovereign; and conſiſteth in the Laws, which none can make that have not the Sovereign Power. And this they well knew of old, who called that Νόμος, (that is to ſay, *Diſtribution)* which we call Law; and defined Juſtice, by *diſtributing* to every Man *his own*.

All private Eſtates of Land proceed originally from the arbitrary Diſtribution of the Sovereign.

In this Diſtribution, the firſt Law is for Diviſion of the Land itſelf: wherein the Sovereign aſſigneth to every Man a Portion, according as he, and not according as any Subject, or any Number of them, ſhall judge agreeable to Equity, and the common Good. The Children of *Iſrael* were a Commonwealth in the Wilderneſs; but wanted the Commodities of the Earth, till they were Maſters of the Land of Promiſe; which afterward was divided amongſt them, not by their own Diſcretion, but by the Diſcretion of *Eleazar* the Prieſt, and *Joſhua* their General: who when they were twelve Tribes, making them thirteen by Subdiviſion of the Tribe of *Joſeph*; made nevertheleſs but twelve Portions of the Land; and ordained for the Tribe of *Levi* no Land; but aſſigned them the tenth Part of the whole Fruits; which Diviſion was therefore Arbitrary. And though a People coming into Poſſeſſion of a Land by War, do not always exterminate the antient Inhabitants, (as did the *Jews)* but leave to many, or moſt, or all of them their Eſtates; yet it is manifeſt they hold them afterwards, as of the Victor's Diſtribution; as the People of *England* held all theirs of *William* the *Conqueror*.

Propriety of a Subject excludes not the Dominion of the Sovereign, but only of another Subject.

From whence we may collect, that the Propriety which a Subject hath in his Lands, conſiſteth in a Right to exclude all other Subjects from the Uſe of them; and not to exclude their Sovereign, be it an Aſſembly, or a Monarch. For ſeeing the Sovereign, that is to ſay, the Commonwealth, (whoſe Perſon he repreſenteth) is underſtood to do nothing but in order to the common Peace and Security, this Diſtribution of Lands, is to be underſtood as done in order to the ſame: And conſequently whatſoever Diſtribution he ſhall make in Prejudice thereof, is contrary to the Will of every Subject, that committed his Peace and Safety to his Diſcretion and Conſcience; and therefore by the Will of every one of them, is to be reputed void. It is true, that a Sovereign Monarch, or the greater Part of a Sovereign Aſſembly, may ordain the doing of many Things in Purſuit of their Paſſions, contrary to their own Conſciences, which is a Breach of Truſt, and of the Law of Nature; but this is not enough to authoriſe any Subject, either to make War upon, or ſo much as to accuſe of Injuſtice, or any way to ſpeak Evil of their Sovereign; becauſe they have authoriſed all his Actions, and in beſtowing the Sovereign Power, made them their own. But in what Caſes the Commands of Sovereigns are contrary to Equity, and the Law of Nature, is to be conſidered hereafter in another Place.

The Public is not to be dieted.

In the Diſtribution of Land, the Commonwealth itſelf may be conceived to have a Portion, and poſſeſs and improve the ſame by their Repreſentative; and that ſuch Portion may be made ſufficient, to ſuſtain the whole Expence to the common Peace, and Defence neceſſarily required: Which were very true, if there could be any Repreſentative conceived free from human Paſſions, and Infirmities. But the Nature of Men being as it is, the ſetting forth of public Land, or of any certain Revenue for the Commonwealth, is in vain; and tendeth to the Diſſolution of Government, and to the Condition of mere Nature, and War, as ſoon as ever the Sovereign Power falleth into the Hands of a Monarch, or of an Aſſembly, that are either too negligent of Money, or too hazardous in engaging the public Stock, into a long or coſtly War. Commonwealths can endure no Diet. For ſeeing their Expence is not limited by their own Appetite, but by external Accidents, and the Appetites of their Neighbours, the public Riches cannot be limited by other Limits, than thoſe which the emergent Occaſions ſhall require. And whereas in *England*, there were by the Conqueror, divers Lands reſerved to his own Uſe, beſides Foreſts and Chaces, either for his Recreation, or for Preſervation of Woods, and divers Services reſerved on the Land he gave his Subjects; yet it ſeems they were not reſerved for his Maintenance in his public, but in his natural Capacity: For he and his Succeſſors did for all that, lay arbitrary Taxes on all Subjects Land, when they judged it neceſſary. Or if thoſe public Lands and Services were ordained as a ſufficient Maintenance of the Commonwealth, it was contrary to the Scope of the Inſtitution; being, as it appeared by thoſe enſuing Taxes, inſufficient, and as it appears by the late ſmall Revenue of the Crown, ſubject to Alienation and Diminution. It is therefore in vain to aſſign a Portion to the Commonwealth; which may ſell, or give it away; and does ſell, and give it away, when it is done by their Repreſentative.

The Places and Matter of Traffic depend, as their Diſtribution, on the Sovereign.

As the Diſtribution of Lands at home; ſo alſo to aſſign in what Places, and for what Commodities the Subject ſhall traffic abroad, belongeth to the Sovereign. For if it did belong to private Perſons to uſe their own Diſcretion therein, ſome of them would be drawn for Gain, both to furniſh the Enemy with Means to hurt the Commonwealth, and hurt it themſelves, by importing ſuch Things, as pleaſing Men's Appetites, be nevertheleſs noxious, or at leaſt unprofitable to them. And therefore it belongeth to the Commonwealth (that is, to the Sovereign only) to approve or diſapprove both of the Places and Matter of foreign Traffic.

The Laws of transferring Propriety belong alſo to the Sovereign.

Further, ſeeing it is not enough to the Suſtentation of a Commonwealth, that every Man have a Propriety in a Portion of Land, or in ſome few Commodities, or a natural Property in ſome uſeful Art, and there is no Art in the World, but is neceſſary either for the Being, or Well-being almoſt of every particular Man; it is neceſſary, that Men diſtribute that which they can ſpare, and transfer their Propriety therein, mutually one to another, by Exchange, and mutual Contract. And therefore it belongeth to the Commonwealth (that is to ſay, to the Sovereign) to appoint in what Manner all Kinds of Contract between Subjects, as Buying, Selling, Exchanging, Borrowing, Lending, letting and taking to Hire, are to be made; and by what Words and Signs they ſhall be underſtood for valid. And for the Matter and Diſtribution of the Nouriſhment, to the ſeveral Members of the Commonwealth, thus much (conſidering the Model of the whole Work) is ſufficient.

Money the Blood of a Commonwealth.

By Concoction, I underſtand the reducing of all Commodities which are not preſently conſumed, but reſerved for Nouriſhment in Time to come, to ſomething of equal Value, and withal ſo portable, as not to hinder the Motion of Men from Place to Place; to the End a Man may have in what Place ſoever, ſuch Nouriſhment as the Place affordeth. And this is nothing elſe but Gold and Silver, and Money. For Gold and Silver, being, as it happens, almoſt in all Countries of the World highly valued, as a commodious Meaſure of the Value of all things elſe between Nations; and Money, (of what Matter ſoever coined by the Sovereign of a Commonwealth) is a ſufficient Meaſure of the Value of all things elſe, between the Subjects of that Commonwealth. By the Means of which Meaſures, all Commodities, moveable and immoveable, are made to accompany a Man, to all Places of his Reſort, within and without the Place of his ordinary Reſidence; and the ſame paſſeth from Man to Man, within the Commonwealth; and goes round about, nouriſhing, as it paſſeth, every Part thereof; inſomuch as this Concoction, is as it were the Sanguification of the Commonwealth: For natural Blood is in like Manner made of the Fruits of the Earth; and circulating, nouriſheth by the Way, every Member of the Body of Man.

And becauſe Silver and Gold have their Value from the Matter itſelf, they have firſt this Privilege, that the Value of them cannot be altered by the Power of one, nor of a few Commonwealths; as being a common Meaſure of the Commodities of all Places. But baſe Money, may eaſily be enhanced or abaſed. Secondly, they have the Privilege to make Commonwealths move, and ſtretch out their Arms, when Need is, into foreign Countries; and ſupply, not only private Subjects that travel, but alſo whole Armies with Proviſion. But that Coin, which is not conſiderable for the Matter, but for the Stamp of the Place, being unable to endure Change of Air, hath its Effect at home only; where alſo it is ſubject to the Change of Laws, and thereby to have the Value diminiſhed, to the Prejudice many times of thoſe that have it.

The Conduits and Ways of Money to the public Uſe.

The Conduits and Ways, by which it is convey'd to the public Uſe, are of two ſorts; one, that conveyeth it to the public Coffers; the other, that iſſueth the ſame out again for public Payments. Of the firſt ſort, are Collectors, Receivers, and Treaſurers; of the ſecond, are the Treaſurers again, and the Officers appointed for Payment of ſeveral public or private Miniſters. And in this alſo, the artificial Man maintains his Reſemblance with the natural; whoſe Veins receiving the Blood from the ſeveral Parts of the Body, carry it to the Heart; where being made vital, the Heart by the Arteries ſends it out again, to enliven, and enable for Motion, all the Members of the ſame.

The Children of a Commonwealth Colonies.

The Procreation, or Children of a Commonwealth, are thoſe we call *Plantations*, or *Colonies*; which are Numbers of Men ſent out from the Commonwealth, under a Conductor or Governor, to inhabit a foreign Country, either formerly void of Inhabitants, or made void then, by War. And when a Colony is ſettled, they are either a Commonwealth of themſelves, diſcharged of their Subjection to their Sovereign that ſent them (as hath been done by many Commonwealths of antient Time) in which Caſe the Commonwealth from which they went was called their Metropolis, or Mother, and requires no more of them, than Fathers require of the Children whom they emancipate, and make free from their domeſtic Government, which is, Honour and Friendſhip; or elſe they remain united to their Metropolis, as were the Colonies of the People of *Rome*; and then they are no Commonwealths themſelves, but Provinces, and Parts of the Commonwealth that ſent them. So that the Right of Colonies, ſaving Honour and League with their Metropolis, dependeth wholly on their Licence or Letters, by which their Sovereign authoriſed them to plant.

CHAP. XXV.

Of COUNSEL.

Counſel, what.

HOW fallacious it is to judge of the Nature of Things, by the ordinary and inconſtant Uſe of Words, appeareth in nothing more than in the Confuſion of Counſels and Commands, ariſing from the imperative manner of ſpeaking in them both, and in many other Occaſions beſides. For the Words *Do this*, are the Words not only of him that commandeth, but alſo of him that giveth Counſel, and of him that exhorteth; and yet there are but few, that ſee not, that theſe are very different Things; or that cannot diſtinguiſh between them, when they perceive who it is that ſpeaketh, and to whom the Speech is directed, and upon what Occaſion. But finding thoſe Phraſes in Men's Writings, and being not able, or not willing to enter into a Conſideration of the Circumſtances, they miſtake ſometimes the Precepts of Counſellors, for the Precepts of them that command; and ſometimes the contrary; according as it beſt agreeth with the Concluſions they infer, or the Actions they approve. To avoid which Miſtakes, and render to thoſe Terms of Commanding, Counſelling, and Exhorting, their proper and diſtinct Significations, I define them thus:

Differences between Command and Counſel.

Command is, where a Man ſaith, *Do this*, or *Do not this*, without expecting other Reaſon than the Will of him that ſays it. From this it followeth manifeſtly, that he that commandeth, pretendeth thereby his own Benefit: For the Reaſon of his Command is his own Will only; and the proper Object of every Man's Will, is ſome Good to himſelf.

Counſel is where a Man ſaith, *Do*, or *Do not this*, and deduceth his Reaſons from the Benefit that arriveth by it to him to whom he ſaith it. And from this it is evident, that he that giveth Counſel, pretendeth only (whatſoever he intendeth) the Good of him, to whom he giveth it.

Therefore between Counſel and Command, one great Difference is, that Command is directed to a Man's own Benefit, and Counſel to the Benefit of another Man. And from this ariſeth another Difference, that a Man may be obliged to do what he is commanded; as when he hath covenanted to obey: But he cannot be obliged to do as he is counſelled, becauſe the Hurt of not following it, is his own; or if he ſhould covenant to follow it, then is the Counſel turn'd into the Nature of a Command. A third Difference between them is, that no Man can pretend a Right to be of another Man's Counſel; becauſe he is not to pretend Benefit by it to himſelf: but to demand Right to counſel another, argues a Will to know his Deſigns, or to gain ſome other Good to himſelf: which, as I ſaid before, is of every Man's Will the proper Object.

This alſo is incident to the Nature of Counſel; that whatſoever it be, he that aſketh it, cannot in Equity accuſe or puniſh it: For to aſk Counſel of another, is to permit him to give ſuch Counſel as he ſhall think beſt: And conſequently, he that giveth Counſel to his Sovereign, (whether a Monarch or an Aſſembly) when he aſketh it, cannot in Equity be puniſhed for it, whether the ſame be conformable to the Opinion of the moſt, or not, ſo it be to the Propoſition in Debate. For if the Senſe of the Aſſembly can be taken notice of, before the Debate be ended, they ſhould neither aſk, nor take any further Counſel, for the Senſe of the Aſſembly is the Reſolution of the Debate, and End of all Deliberation. And generally he that demandeth Counſel, is Author of it, and therefore cannot puniſh it; and what the Sovereign cannot, no Man elſe can. But if one Subject giveth Counſel to another, to do any thing contrary to the Laws, whether that Counſel proceed from evil Intention, or from Ignorance only, it is puniſhable by the Commonwealth; becauſe Ignorance of the Law is no good Excuſe, where every man is bound to take notice of the Laws to which he is ſubject.

Exhortation and Dehortation, what.

Exhortation and *Dehortation*, is Counſel, accompanied with Signs in him that giveth it, of vehement Deſire to have it followed; or to ſay it more briefly, *Counſel vehemently preſſed*. For he that exhorteth, doth not deduce the Conſequences of what he adviſeth to be done, and tye himſelf therein to the Rigour of true Reaſoning: but encourages him he counſelleth, to Action: As he that dehorteth, deterreth him from it. And therefore they have in their Speeches, a Regard to the common Paſſions, and Opinions of Men, in deducing their Reaſons; and make uſe of Similitudes, Metaphors, Examples, and other Tools of Oratory, to perſuade their Hearers of the Utility, Honour, or Juſtice of following their Advice.

From whence may be inferred, Firſt, that Exhortation and Dehortation, is directed to the Good of him that giveth the Counſel, not of him that aſketh it: which is contrary to the Duty of a Counſellor, who (by the Definition of Counſel) ought to regard, not his own Benefit, but his whom he adviſeth. And that he directeth his Counſel to his own Benefit, is manifeſt enough, by the long and vehement Urging, or by the artificial Giving thereof; which being not required of him, and conſequently proceeding from his own Occaſions, is directed principally to his own Benefit, and but accidentarily to the Good of him that is counſelled, or not at all.

Secondly, That the Uſe of Exhortation and Dehortation lieth only where a Man is to ſpeak to a Multitude; becauſe when the Speech is addreſſed to one, he may interrupt him, and examine his Reaſons more rigorouſly than can be done in a Multitude; which are too many to enter into Diſpute and Dialogue with him that ſpeaketh indifferently to them all at once.

Thirdly, That they that exhort and dehort, where they are required to give Counſel, are corrupt Counſellors, and as it were bribed by their own Intereſt. For though the Counſel they give be never ſo good; yet he that gives it, is no more a good Counſellor, than he that giveth a juſt Sentence for a Reward, is a juſt Judge. But where a Man may lawfully command, as a Father in his Family, or a Leader in an Army, his Exhortations and Dehortations are not only lawful, but alſo neceſſary and laudable: But then they are no more Counſels, but Commands; which when they are for Execution of four Labour; ſometimes Neceſſity, and always Humanity requireth to be ſweetened in the Delivery, by Encouragement, and in the Tune and Phraſe of Counſel, rather than in the harſher Language of Command.

Examples of the Difference between Command and Counſel, we may take from the Forms of Speech that expreſs them in Holy Scripture. *Have no other Gods but me*; *Make to thyſelf no graven Image*; *Take not God's Name in vain*; *Sanctify the Sabbath*; *Honour thy Parents*; *Kill not*; *Steal not*, &c. are Commands; becauſe the Reaſon for which we are to obey them, is drawn from the Will of God our King, whom we are obliged to obey. But theſe Words, *Sell all thou haſt*; *give it to the poor*; *and follow me*, are Counſel; becauſe the Reaſon for which we are to do ſo, is drawn from our own Benefit; which is this, that we ſhall have *Treaſure in Heaven*. Theſe Words, *Go into the Village over againſt you, and you ſhall find an Aſs tied, and her Colt*; *looſe her, and bring her to me*, are a Command: for the Reaſon of their Fact is drawn from the Will of their Maſter: but theſe Words, *Repent, and be baptized in the Name of Jeſus*, are Counſel; becauſe the Reaſon why we ſhould ſo do, tendeth not to any Benefit of God Almighty, who ſhall ſtill be King in what Manner ſoever we rebel; but of ourſelves, who have no other Means of avoiding the Puniſhment hanging over us for our Sins.

Differences of fit and unfit Counſellors.

As the Difference of Counſel from Command, hath been now deduced from the Nature of Counſel, conſiſting in a deducing of the Benefit,

nefit, or Hurt that may ariſe to him that is to be counſelled, by the neceſſary or probable Conſequences of the Action he propoundeth; ſo may alſo the Differences between *apt* and *inept* Counſellors be derived from the ſame. For Experience, being but Memory of the Conſequences of like Actions formerly obſerved, and Counſel but the Speech whereby that Experience is made known to another; the Virtues, and Defects of Counſel, are the ſame with the Virtues and Defects intellectual: And to the Perſon of a Commonwealth, his Counſellors ſerve him in the Place of Memory, and Mental Diſcourſe. But with this Reſemblance of the Commonwealth, to a natural Man, there is one Diſſimilitude joined, of great Importance; which is, that a natural Man receiveth his Experience from the natural Objects of Senſe, which work upon him without Paſſion, or Intereſt of their own; whereas they that give Counſel to the repreſentative Perſon of a Commonwealth, may have, and have often their particular Ends and Paſſions, that render their Counſels always ſuſpected, and many times unfaithful. And therefore we may ſet down for the firſt Condition of a good Counſellor, *That his Ends, and Intereſt, be not inconſiſtent with the Ends and Intereſt of him he counſelleth.*

Secondly, Becauſe the Office of a Counſellor, when an Action comes into Deliberation, is to make manifeſt the Conſequences of it, in ſuch Manner, as he that is counſelled may be truly and evidently informed; he ought to propound his Advice, in ſuch Form of Speech, as may make the Truth moſt evidently appear; that is to ſay, with as firm Ratiocination, as ſignificant and proper Language, and as briefly as the Evidence will permit. And therefore *raſh, and unevident Inferences,* (ſuch as are fetched only from Examples, or Authority of Books, and are not Arguments of what is Good or Evil, but Witneſſes of Fact, or of Opinion) *obſcure, confuſed, and ambiguous Expreſſions, alſo all metaphorical Speeches, tending to the ſtirring up of Paſſion,* (becauſe ſuch Reaſoning, and ſuch Expreſſions, are uſeful only to deceive, or to lead him we counſel towards other Ends than his own) *are repugnant to the Office of a Counſellor.*

Thirdly, Becauſe the Ability of counſelling proceedeth from Experience and long Study; and no Man is preſumed to have Experience in all thoſe Things that to the Adminiſtration of a great Commonwealth are neceſſary to be known, *No Man is preſumed to be a good Counſellor, but in ſuch Buſineſs, as he hath not only been much verſed in, but hath alſo much meditated on, and conſidered.* For ſeeing the Buſineſs of a Commonwealth is this, to preſerve the People in Peace at Home, and defend them againſt foreign Invaſion, we ſhall find it requires great Knowledge of the Diſpoſition of Mankind, of the Rights of Government, and of the Nature of Equity, Law, Juſtice, and Honour, not to be attained without Study; and of the Strength, Commodities, Places, both of their own Country, and their Neighbours; as alſo of the Inclinations, and Deſigns of all Nations that may any Way annoy them. And this is not attained to, without much Experience. Of which Things, not only the whole Sum, but every one of the Particulars requires the Age, and Obſervation of a Man in Years, and of more than ordinary Study. The Wit required for Counſel, as I have ſaid before (Chap. VIII.) is Judgment. And the Differences of Men in that Point come from different Education, of ſome to one Kind of Study or Buſineſs, and of others to another. When for the doing of any Thing, there be infallible Rules, (as in Engines, and Edifices, the Rules of Geometry) all the Experience of the World cannot equal his Counſel, that has learnt, or found out the Rule. And when there is no ſuch Rule, he that hath moſt Experience in that particular Kind of Buſineſs, has therein the beſt Judgment, and is the beſt Counſellor.

Fourthly, To be able to give Counſel to a Commonwealth, in a Buſineſs that hath Reference to another Commonwealth, *It is neceſſary to be acquainted with the Intelligences and Letters* that come from thence, *and with all the Records of Treaties, and other Tranſactions of State* between them; which none can do, but ſuch as the Repreſentative ſhall think fit. By which we may ſee, that they who are not called to counſel, can have no good Counſel in ſuch Caſes to obtrude.

Fifthly, Suppoſing the Number of Counſellors equal, a Man is better counſelled by hearing them apart, than in an Aſſembly; and that for many Cauſes. Firſt, in hearing them apart, you have the Advice of every Man; but in an Aſſembly many of them deliver their Advice with *I*, or *No*, or with their Hands, or Feet, not moved with their own Senſe, but by the Eloquence of another, or for Fear of diſpleaſing ſome that have ſpoken, or the whole Aſſembly, by Contradiction; or for Fear of appearing duller in Apprehenſion, than thoſe that have applauded the contrary Opinion. Secondly, in an Aſſembly of many, there cannot chuſe but be ſome whoſe Intereſts are contrary to that of the Public; and theſe their Intereſts make paſſionate, and Paſſion eloquent, and Eloquence draws others into the ſame Advice. For the Paſſions of Men, which aſunder are moderate, as the Heat of one Brand; in Aſſembly are like many Brands, that enflame one another, (eſpecially when they blow one another with Orations) to the ſetting of the Commonwealth on Fire, under Pretence of counſelling it. Thirdly, in hearing every Man apart, one may examine (when there is Need) the Truth, or Probability of his Reaſons, and of the Grounds of the Advice he gives, by frequent Interruptions and Objections; which cannot be done in an Aſſembly, where (in every difficult Queſtion) a Man is rather aſtonied and dazled with the Variety of Diſcourſe upon it, than informed of the Courſe he ought to take. Beſides, there cannot be an Aſſembly of many, called together for Advice, wherein there be not ſome, that have the Ambition to be thought eloquent, and alſo learned in the Politics, and give not their Advice with Care of the Buſineſs propounded, but of the Applauſe of their motly Orations, made of the divers-coloured Threads or Shreds of Authors; which is an Impertinence at leaſt, that takes away the Time of ſerious Conſultation, and in the ſecret Way of counſelling apart, is eaſily avoided. Fourthly, in Deliberations that ought to be kept ſecret (whereof there be many Occaſions in public Buſineſs) the Counſels of many, and eſpecially in Aſſemblies, are dangerous; and therefore great Aſſemblies are neceſſitated to commit ſuch Affairs to leſſer Numbers, and of ſuch Perſons as are moſt verſed, and in whoſe Fidelity they have moſt Confidence.

To conclude. Who is there that ſo far approves the taking of Counſel from a great Aſſembly of Counſellors, that wiſheth for, or would accept of their Pains, when there is a Queſtion of marrying his Children, diſpoſing of his Lands, governing his Houſhold, or managing his private Eſtate, eſpecially if there be amongſt them ſuch as wiſh not his Proſperity? A Man that doth his Buſineſs by the Help of many and prudent Counſellors, with every one conſulting apart in his proper Element, does it beſt, as he that uſeth able Seconds at Tennisplay, placed in their proper Stations. He does next beſt, that uſeth his own Judgment only; as he that has no Second at all. But he that is carried up and down to his Buſineſs in a framed Counſel, which cannot move but by the Plurality of conſenting Opinions, the Execution whereof is commonly (out of Envy, or Intereſt) retarded by the Part diſſenting, does it worſt of all, and like one that is carried to the Ball, though by good Players, yet in a Wheel-barrow, or other Frame, heavy of itſelf, and retarded alſo by the inconcurrent Judgments and Endeavours of them that drive it; and ſo much the more, as they be more that ſet their Hands to it; and moſt of all, when there is one or more amongſt them that deſire to have him loſe. And though it be true, that many Eyes ſee more than one; yet it is not to be underſtood of many Counſellors; but then only, when the final Reſolution is in one Man. Otherwiſe, becauſe many Eyes ſee the ſame Thing in divers Lines, and are apt to look aſquint towards their private Benefit; they that deſire not to miſs their Mark, though they look about with two Eyes, yet they never aim but with one. And therefore no great popular Commonwealth was ever kept up; but either by a foreign Enemy that united them, or by the ſecret Counſel of a few, or by the mutual Fear of equal Factions; and not by the open Conſultations of the Aſſembly. And as for very little Commonwealths, be they popular or monarchical, there is no human Wiſdom can uphold them, longer than the Jealouſy laſteth of their potent Neighbours.

CHAP. XXVI.

Of CIVIL LAWS.

Civil Law, what.

BY *Civil Laws*, I underſtand the Laws, that Men are therefore bound to obſerve, becauſe they are Members, not of this, or that Commonwealth in particular, but of a Commonwealth. For the Knowledge of particular Laws belongeth to them that profeſs the Study of the Laws of their ſeveral Countries; but the Knowledge of Civil Law in general, to any Man. The ancient Law of *Rome* was called their *Civil Law*, from the Word *Civitas*, which ſignifieth a Commonwealth: And thoſe Countries, which having been under the *Roman* Empire, and governed by that Law, retain ſtill ſuch Part thereof as they think fit, call that Part the Civil Law, to diſtinguiſh it from the reſt of their own Civil Laws. But that is not it I intend to ſpeak of here; my Deſign being not to ſhew what is Law here, and there; but what is Law, as *Plato*, *Ariſtotle*, *Cicero*, and divers others have done, without taking upon them the Profeſſion of the Study of the Law.

And firſt, it is manifeſt, that Law in general, is not Counſel, but Command; nor a Command from any Man to any Man; but only of him, whoſe Command is addreſſed to one formerly obliged to obey him. And as for Civil Law, it addeth only the Perſon commanding, which is *Perſona Civitatis*, the Perſon of the Commonwealth.

Which conſidered, I define Civil Law in this manner. *Civil Law, is to every Subject, thoſe Rules which the Commonwealth hath commanded him, by Word, Writing, or other ſufficient Sign of the Will, to make Uſe of, for the Diſtinction of Right and Wrong; that is to ſay, of what is contrary, and what is not contrary to the Rule.*

In which Definition, there is nothing that is not at firſt Sight evident. For every Man ſeeth, that ſome Laws are addreſſed to all the Subjects in general, ſome to particular Provinces, ſome to particular Vocations, and ſome to particular Men; and are therefore Laws to every of thoſe to whom the Command is directed, and to none elſe. As alſo, that Laws are the Rules of Juſt and Unjuſt; nothing being reputed unjuſt, that is not contrary to ſome Law. Likewiſe, that none can make Laws but the Commonwealth; becauſe our Subjection is to the Commonwealth only: and that Commands are to be ſignified by ſufficient Signs; becauſe a Man knows not otherwiſe how to obey them. And therefore, whatſoever can from this Definition by neceſſary Conſequence be deduced, ought to be acknowledged for Truth. Now I deduce from it this that followeth.

The Sovereign is Legiſlator:

1. The Legiſlator in all Commonwealths, is only the Sovereign, be he one Man, as in a Monarchy, or one Aſſembly of Men, as in a Democracy, or Ariſtocracy. For the Legiſlator, is he that maketh the Law. And the Commonwealth only, preſcribes and commandeth the Obſervation of thoſe Rules, which we call Law: Therefore the Commonwealth is the Legiſlator. But the Commonwealth is no Perſon, nor has Capacity to do any Thing, but by the Repreſentative, (that is, the Sovereign;) and therefore the Sovereign is the ſole Legiſlator. For the ſame Reaſon, none can abrogate a Law made, but the Sovereign; becauſe a Law is not abrogated, but by another Law, that forbiddeth it to be put in Execution.

And not ſubject to Civil Law.

2. The Sovereign of a Commonwealth, be it an Aſſembly, or one Man, is not ſubject to the Civil Laws. For having Power to make, and repeal Laws, he may when he pleaſeth, free himſelf from that Subjection, by repealing thoſe Laws that trouble him, and making of new; and conſequently he was free before. For he is free, that can be free when he will: Nor is it poſſible for any Perſon to be bound to himſelf; becauſe he that can bind, can releaſe; and therefore he that is bound to himſelf only, is not bound.

Uſe, a Law not by Virtue of Time, but of the Sovereign's Conſent.

3. When long Uſe obtaineth the Authority of a Law, it is not the Length of Time that maketh the Authority, but the Will of the Sovereign ſignified by his Silence, (for Silence is ſometimes an Argument of Conſent;) and it is no longer Law, than the Sovereign ſhall be ſilent therein. And therefore if the Sovereign ſhall have a Queſtion of Right grounded, not upon his preſent Will, but upon the Laws formerly made; the Length of Time ſhall bring no Prejudice to his Right; but the Queſtion ſhall be judged by Equity. For many unjuſt Actions, and unjuſt Sentences, go uncontrolled a longer Time, than any Man can remember. And our Lawyers account no Cuſtoms Law, but ſuch as are reaſonable, and that evil Cuſtoms are to be aboliſhed: But the Judgment of what is reaſonable, and of what is to be aboliſhed, belongeth to him that maketh the Law, which is the Sovereign Aſſembly or Monarch.

The Law of Nature and the Civil Law contain each other.

4. The Law of Nature, and the Civil Law, contain each other, and are of equal Extent. For the Laws of Nature, which conſiſt in Equity, Juſtice, Gratitude, and other moral Virtues on theſe depending, in the Condition of mere Nature (as I have ſaid before in the End of the XVth Chapter) are not properly Laws, but Qualities that diſpoſe Men to Peace and to Obedience. When a Commonwealth is once ſettled, then are they actually Laws, and not before; as being then the Commands of the Commonwealth; and therefore alſo Civil Laws: For it is the Sovereign Power that obliges Men to obey them. For in the Differences of private Men, to declare what is Equity, what is Juſtice, and what is moral Virtue, and to make them binding, there is Need of the Ordinances of Sovereign Power, and Puniſhments to be ordained for ſuch as ſhall break them; which Ordinances are therefore Part of the Civil Law. The Law of Nature, therefore, is Part of the Civil Law in all Commonwealths of the World. Reciprocally alſo, the Civil Law is a

Part of the Dictates of Nature. For Juſtice, that is to ſay, Performance of Covenant, and giving to every Man his own, is a Dictate of the Law of Nature. But every Subject in a Commonwealth, hath covenanted to obey the Civil Law, (either one with the other, as when they aſſemble to make a common Repreſentative, or with the Repreſentative itſelf one by one, when ſubdued by the Sword they promiſe Obedience, that they may receive Liſe;) and therefore Obedience to the Civil Law is Part alſo of the Law of Nature. Civil, and Natural Law, are not different Kinds, but different Parts of Law; whereof one Part being written, is called Civil, the other unwritten, Natural. But the Right of Nature, that is, the natural Liberty of Man, may by the Civil Law be abridged and reſtrained: nay, the End of making Laws is no other, but ſuch Reſtraint; without the which there cannot poſſibly be any Peace. And Law was brought into the World for nothing elſe, but to limit the natural Liberty of particular Men, in ſuch Manner, as they might not hurt, but aſſiſt one another, and join together againſt a common Enemy.

Provincial Laws are not made by Cuſtom, but by the Sovereign Power.

5. If the Sovereign of one Commonwealth, ſubdue a People that have lived under other written Laws, and afterwards govern them by the ſame Laws, by which they were governed before; yet thoſe Laws are the Civil Laws of the Victor, and not of the vanquiſhed Commonwealth. For the Legiſlator is he, not by whoſe Authority the Laws were firſt made, but by whoſe Authority they now continue to be Laws. And therefore where there be divers Provinces within the Dominion of a Commonwealth, and in thoſe Provinces Diverſity of Laws, which commonly are called the Cuſtoms of each ſeveral Province, we are not to underſtand that ſuch Cuſtoms have their Force, only from Length of Time; but that they were antiently Laws written, or otherwiſe made known, for the Conſtitutions and Statutes of their Sovereigns; and are now Laws, not by Virtue of the Preſcription of Time, but by the Conſtitutions of their preſent Sovereigns. But if an unwritten Law, in all the Provinces of a Dominion, ſhall be generally obſerved, and no Iniquity appear in the Uſe thereof; that Law can be no other but a Law of Nature, equally obliging all Mankind.

Some fooliſh Opinions of Lawyers concerning the making of Laws.

6. Seeing then all Laws, written and unwritten, have their Authority and Force from the Will of the Commonwealth; that is to ſay, from the Will of the Repreſentative; which in a Monarchy is the Monarch, and in other Commonwealths the Sovereign Aſſembly; a Man may wonder from whence proceed ſuch Opinions, as are found in the Books of Lawyers of Eminence in ſeveral Commonwealths, directly, or by Conſequence making the Legiſlative Power depend on private Men, or ſubordinate Judges. As for Example, *That the Common Law hath no Controuler but the Parliament*; which is true only where a Parliament has the Sovereign Power, and cannot be aſſembled, nor diſſolved, but by their own Diſcretion. For if there be a Right in any elſe to diſſolve them, there is a Right alſo to controul them, and conſequently to controul their Controulings. And if there be no ſuch Right, then the Controuler of Laws is not *Parliamentum*, but *Rex in Parliamento*. And where a Parliament is Sovereign, if it ſhould aſſemble never ſo many, or ſo wiſe Men, from the Countries ſubject to them, for whatſoever Cauſe; yet there is no Man will believe, that ſuch an Aſſembly hath thereby acquired to themſelves a Legiſlative Power. *Item*, that the two Arms of a Commonwealth, are *Force and Juſtice*; *the firſt whereof is in the King*; *the other depoſited in the Parliament*. As if a Commonwealth could conſiſt, where the Force were in any Hand, which Juſtice had not the Authority to command and govern.

7 That Law can never be againſt Reaſon, our Lawyers are agreed; and that not the Letter, (that is, every Conſtruction of it) but that which is according to the Intention of the Legiſlator, is the Law. And it is true: but the Doubt is, whoſe Reaſon it is, that ſhall be received for Law. It is not meant of any private Reaſon; for then there would be as much Contradiction in the Laws as there is in the Schools; nor yet (as Sir *Ed. Coke* makes it) an *artificial Perfection of Reaſon, gotten by long Study, Obſervation, and Experience*, (as his was.) For it is poſſible long Study may increaſe, and confirm erroneous Sentences: and where Men build on falſe Grounds, the more they build, the greater is the Ruin: and of thoſe that ſtudy, and obſerve with equal Time and Diligence, the Reaſons and Reſolutions are, and muſt remain diſcordant: and therefore it is not that *Juris prudentia*, or Wiſdom of ſubordinate Judges; but the Reaſon of this our artificial Man the Commonwealth, and his Command, that maketh Law: And the Commonwealth being in their Repreſentative but one Perſon, there cannot eaſily ariſe any Contradiction in the Laws; and when there doth, the ſame Reaſon is able, by Interpretation or Alteration, to take it away. In all Courts of Juſtice, the Sovereign (which is the Perſon of the Commonwealth) is he that judgeth: The ſubordinate Judge ought to have regard to the Reaſon, which moved his Sovereign to make ſuch a Law, that his Sentence may be according thereunto; which then is his Sovereign's Sentence; otherwiſe it is his own, and an unjuſt one.

Sir *Edw. Coke* upon *Littleton*, Lib. ii. Ch. 6. Fol. 97. b.

Law made, if not alſo made known, is no Law.

8. From this, that the Law is a Command, and a Command conſiſteth in Declaration, or Manifeſtation of the Will of him that commandeth, by Voice, Writing, or ſome other ſufficient Argument of the ſame, we may underſtand, that the Command of the Commonwealth is Law only to thoſe, that have Means to take notice of it. Over natural Fools, Children, or Madmen, there is no Law, no more than over brute Beaſts; nor are they capable of the Title of Juſt, or Unjuſt; becauſe they had never Power to make any Covenant, or to underſtand the Conſequences thereof; and conſequently never took upon them to authoriſe the Actions of any Sovereign, as they muſt do that make to themſelves a Commonwealth. And as to thoſe from whom Nature or Accident hath taken away the Notice of all Laws in general; ſo alſo every Man, from whom any Accident, not proceeding from his own Default, hath taken away the Means to take notice of any particular Law, is excuſed, if he obſerve it not; and to ſpeak properly, that Law is no Law to him. It is therefore neceſſary to conſider in this Place, what Arguments and Signs be ſufficient for the Knowledge of what is the Law; that is to ſay, what is the Will of the Sovereign, as well in Monarchies, as in other Forms of Government.

Unwritten Laws are all of them Laws of Nature.

And firſt, if it be a Law that obliges all the Subjects without Exception, and is not written, nor otherwiſe publiſhed in ſuch Places as they may take notice thereof, it is a Law of Nature. For whatſoever Men are to take knowledge of for Law, not upon other Men's Words, but every one from his own Reaſon, muſt be ſuch as is agreeable to the Reaſon of all Men; which no Law can be, but the Law of Nature. The Laws of Nature therefore need not any Publiſhing nor Proclamation, as being contained in this one Sentence, approved by all the World, *Do not that to another, which thou thinkeſt unreaſonable to be done by another to thy ſelf.*

Secondly, if it be a Law that obliges only ſome Condition of Men, or one particular Man, and be not written, nor publiſhed by Word, then alſo it is a Law of Nature; and known by the ſame Arguments and Signs, that diſtinguiſh thoſe in ſuch a Condition from other Subjects.

For whatſoever Law is not written, or ſome way publiſhed by him that makes it Law, can be known no way, but by the Reaſon of him that is to obey it; and is therefore alſo a Law, not only Civil but Natural. For Example, if the Sovereign employ a public Miniſter, without written Inſtructions what to do, he is obliged to take for Inſtructions the Dictates of Reaſon: As if he make a Judge, the Judge is to take notice, that his Sentence ought to be according to the Reaſon of his Sovereign, which being always underſtood to be Equity, he is bound to it by the Law of Nature: Or if an Ambaſſador, he is (in all things not contain'd in his written Inſtructions) to take for Inſtruction that which Reaſon dictates to be moſt conducing to his Sovereign's Intereſt; and ſo of all other Miniſters of the Sovereignty, public and private. All which Inſtructions of natural Reaſon may be comprehended under the Name of *Fidelity*; which is a Branch of natural Juſtice.

The Law of Nature excepted, it belongeth to the Eſſence of all other Laws, to be made known to every Man that ſhall be obliged to obey them, either by Word or Writing, or ſome other Act, known to proceed from the Sovereign Authority. For the Will of another cannot be underſtood, but by his own Word or Act, or by Conjecture taken from his Scope and Purpoſe; which in the Perſon of the Commonwealth is to be ſuppoſed always conſonant to Equity and Reaſon. And in antient Time, before Letters were in common Uſe, the Laws were many times put into Verſe; that the rude People taking Pleaſure in ſinging, or reciting them, might the more eaſily retain them in Memory. And for the ſame Reaſon *Solomon* adviſeth a Man, to bind the Ten Commandments * upon his Ten Fingers. And for the Law which *Moſes* gave to the People of *Iſrael* at the renewing of the Covenant, † he biddeth them to teach it their Children, by diſcourſing of it both at home, and upon the Way; at going to Bed, and at riſing from Bed; and to write it upon the Poſts, and Doors of their Houſes; and ‡ to aſſemble the People, Man, Woman, and Child, to hear it read.

* Prov. vii. 3.
† Deut. xi. 19.
‡ Deut. xxxi. 12.

Nothing is Law where the Legiſlator cannot be known.

Nor is it enough the Law be written, and publiſhed; but alſo that there be manifeſt Signs, that it proceedeth from the Will of the Sovereign. For private Men, when they have, or think they have Force enough to ſecure their unjuſt Deſigns, and convoy them ſafely to their ambitious Ends, may publiſh for Laws what they pleaſe, without or againſt the Legiſlative Authority. There is therefore requiſite, not only a Declaration of the Law, but alſo ſufficient Signs of the Author and Authority. The Author or Legiſlator, is ſuppoſed in every Commonwealth to be evident, becauſe he is the Sovereign, who having been conſtituted by the Conſent of every one, is ſuppoſed by every one to be ſufficiently known. And though the Ignorance and Security of Men be ſuch, for the moſt part, as that when the Memory of the firſt Conſtitution of their Commonwealth is worn out, they do not conſider, by whoſe Power they uſe to be defended againſt their Enemies, and to have their Induſtry protected, and to be righted when Injury is done them; yet becauſe no Man that conſiders, can make queſtion of it, no Excuſe can be derived from the Ignorance of where the Sovereignty is placed. And it is a Dictate of natural Reaſon, and conſequently an evident Law of Nature, that no Man ought to weaken that Power, the Protection whereof himſelf hath demanded, or wittingly received againſt others. Therefore of who is Sovereign, no Man, but by his own Fault (whatſoever evil Men ſuggeſt) can make any Doubt. The Difficulty conſiſteth in the Evidence of the Authority derived from him: The removing whereof dependeth on the Knowledge of the public Regiſters, public Councils, public Miniſters, and public Seals; by which all Laws are ſufficiently verified; verified, I ſay, not authoriſed: for the Verification is but the Teſtimony and Record; not the Authority of the Law; which conſiſteth in the Command of the Sovereign only.

Difference between verifying and authoriſing. The Law verified by the ſubordinate Judge.

If therefore a Man have a Queſtion of Injury, depending on the Law of Nature; that is to ſay, on common Equity; the Sentence of the Judge, that by Commiſſion hath Authority to take Cognizance of ſuch Cauſes, is a ſufficient Verification of the Law of Nature in that individual Caſe. For though the Advice of one that profeſſeth the Study of the Law, be uſeful for the avoiding of Contention; yet it is but Advice: it is the Judge muſt tell Men what is Law, upon the hearing of the Controverſy.

By the public Regiſters.

But when the Queſtion is of Injury, or Crime, upon a written Law, every Man by Recourſe to the Regiſters, by himſelf, or others, may, if he will, be ſufficiently informed, before he do ſuch Injury, or commit ſuch Crime, whether it be an Injury or not; nay, he ought to do ſo: For when a Man doubts whether the Act he goeth about be juſt or unjuſt; and may inform himſelf, if he will; the doing is unlawful. In like manner, he that ſuppoſeth himſelf injured, in a Caſe determined by the written Law, which he may by himſelf, or others ſee and conſider; if he complain before he conſults with the Law, he does unjuſtly, and bewrayeth a Diſpoſition rather to vex other Men, than to demand his own Right.

By Letters Patent and public Seal.

If the Queſtion be of Obedience to a public Officer; to have ſeen his Commiſſion with the public Seal, and heard it read; or to have had the Means to be informed of it, if a Man would, is a ſufficient Verification of his Authority. For every Man is to do his beſt Endeavour to inform himſelf of all written Laws that may concern his own future Actions.

The Interpretation of the Law dependeth on the Sovereign Power.

The Legiſlator known, and the Laws, either by Writing, or by the Light of Nature, ſufficiently publiſhed; there wanteth yet another very material Circumſtance to make them obligatory. For it is not the Letter, but the Intendment, or Meaning; that is to ſay, the authentic Interpretation of the Law (which is the Senſe of the Legiſlator) in which the Nature of the Law conſiſteth; and therefore the Interpretation of all Laws dependeth on the Authority Sovereign; and the Interpreters can be none but thoſe, which the Sovereign, to whom only the Subject oweth Obedience, ſhall appoint. For elſe, by the Craft of an Interpreter, the Law may be made to bear a Senſe contrary to that of the Sovereign; by which Means the Interpreter becomes the Legiſlator

All Laws need Interpretation.

All Laws, written and unwritten, have Need of Interpretation. The unwritten Law of Nature, though it be eaſy to ſuch, as without Partiality and Paſſion make Uſe of their natural Reaſon, and therefore leaves the Violaters thereof without Excuſe; yet conſidering there be very few, perhaps none, that in ſome Caſes are not blinded by Self-love, or ſome other Paſſion, it is now become of all Laws the moſt obſcure; and has conſequently the greateſt Need of able Interpreters. The written Laws, if they be ſhort, are eaſily miſ-interpreted, from the divers Significations of a Word or two: if long, they be more obſcure, by the divers Significations of many Words: inſomuch as no written Law, delivered in few, or many Words, can be well underſtood, without a perfect Underſtanding of the final Cauſes, for which the Law was made; the Knowledge of which final Cauſes is in the Legiſlator. To him therefore there cannot be any Knot in the Law inſoluble;

either by finding out the Ends, to undo it by; or elſe by making what Ends he will (as *Alexander* did with his Sword in the Gordian Knot) by the Legiſlative Power; which no other Interpreter can do.

The Interpretation of the Laws of Nature, in a Commonwealth, dependeth not on the Books of Moral Philoſophy. The Authority of Writers, without the Authority of the Commonwealth, maketh not their Opinions Law, be they never ſo true. That which I have written in this Treatiſe, concerning the Moral Virtues, and of their Neceſſity, for the procuring, and maintaining Peace, though it be evident Truth, is not therefore preſently Law; but becauſe in all Commonwealths in the World, it is Part of the Civil Law. For though it be naturally reaſonable; yet it is by the Sovereign Power that it is Law: Otherwiſe, it were a great Error to call the Laws of Nature unwritten Law; whereof we ſee ſo many Volumes publiſhed, and in them many Contradictions of one another, and of themſelves.

The authentical Interpretation of Law is not that of Writers.

The Interpretation of the Law of Nature, is the Sentence of the Judge conſtituted by the Sovereign Authority to hear and determine ſuch Controverſies as depend thereon; and conſiſteth in the Application of the Law to the preſent Caſe. For in the Act of Judicature, the Judge doth no more but conſider, whether the Demand of the Party be conſonant to natural Reaſon and Equity; and the Sentence he giveth, is therefore the Interpretation of the Law of Nature; which Interpretation is authentic; not becauſe it is his private Sentence; but becauſe he giveth it by Authority of the Sovereign, whereby it becomes the Sovereign's Sentence; which is Law for that Time, to the Parties pleading.

The Interpreter of the Law is the Judge giving Sentence *vivâ voce* in every particular Caſe.

But becauſe there is no Judge, Subordinate nor Sovereign, but may err in a Judgment of Equity; if afterwards in another like Caſe he find it more conſonant to Equity to give a contrary Sentence, he is obliged to do it. No Man's Error becomes his own Law; nor obliges him to perſiſt in it. Neither (for the ſame Reaſon) becomes it a Law to other Judges, though ſworn to follow it. For though a wrong Sentence given by Authority of the Sovereign, if he know and allow it, in ſuch Laws as are mutable, be a Conſtitution of a new Law, in Caſes in which every little Circumſtance is the ſame; yet in Laws immutable, ſuch as are the Laws of Nature, they are no Laws to the ſame, or other Judges, in the like Caſes for ever after. Princes ſucceed one another; and one Judge paſſeth, another cometh; nay, Heaven and Earth ſhall paſs; but not one Tittle of the Law of Nature ſhall paſs; for it is the eternal Law of God. Therefore all the Sentences of precedent Judges that have ever been, cannot all together make a Law contrary to natural Equity: Nor any Examples of former Judges, can warrant an unreaſonable Sentence, or diſcharge the preſent Judge of the Trouble of ſtudying what is Equity (in the Caſe he is to judge) from the Principles of his own natural Reaſon. For Example Sake, 'Tis againſt the Law of Nature, *to puniſh the innocent*; and innocent is he that acquitteth himſelf judicially, and is acknowledged for innocent by the Judge. Put the Caſe now, that a Man is accuſed of a capital Crime, and ſeeing the Power and Malice of ſome Enemy, and the frequent Corruption and Partiality of Judges, runneth away for Fear of the Event, and afterwards is taken, and brought to a legal Trial, and maketh it ſufficiently appear, he was not guilty of the Crime, and being thereof acquitted, is nevertheleſs condemned to loſe his Goods; this is a manifeſt Condemnation of the innocent. I ſay therefore, that there is no Place in the World, where this can be an Interpretation of a Law of Nature, or be made a Law by the Sentences of precedent Judges, that had done the ſame. For he that judged

The Sentence of a Judge does not bind him, or another Judge, to give like Sentence in like Caſes ever after.

judged it firſt, judged unjuſtly; and no Injuſtice can be a Pattern of Judgment to ſucceeding Judges. A written Law may forbid innocent Men to fly, and they may be puniſhed for flying: But that flying for Fear of Injury, ſhould be taken for Preſumption of Guilt, after a Man is already abſolved of the Crime judicially, is contrary to the Nature of a Preſumption, which hath no Place after Judgment given. Yet this is ſet down by a great Lawyer for the common Law of *England*. *If a Man* (ſaith he) *that is innocent, be accuſed of Felony, and for Fear flyeth for the ſame; albeit he judicially acquitteth himſelf of the Felony; yet if it be found that he fled for the Felony; he ſhall, notwithſtanding his Innocency, forfeit all his Goods, Chattles, Debts, and Duties. For as to the Forfeiture of them, the Law will admit no Proof againſt the Preſumption in Law, grounded upon his Flight.* Here you ſee, *an innocent Man, judicially acquitted, notwithſtanding his Innocency,* (when no written Law forbad him to fly) after his Acquital, *upon a Preſumption in Law,* condemned to loſe all the Goods he hath. If the Law ground upon his Flight a Preſumption of the Fact, (which was capital) the Sentence ought to have been capital: if the Preſumption were not of the Fact, for what then ought he to loſe his Goods? This therefore is no Law of *England*; nor is the Condemnation grounded upon a Preſumption of Law, but upon the Preſumption of the Judges. It is alſo againſt Law, to ſay that no Proof ſhall be admitted againſt a Preſumption of Law. For all Judges, Sovereign and Subordinate, if they refuſe to hear Proof, refuſe to do Juſtice: for though the Sentence be juſt, yet the Judges that condemn without hearing the Proofs offered, are unjuſt Judges; and their Preſumption is but Prejudice; which no Man ought to bring with him to the Seat of Juſtice, whatſoever precedent Judgments or Examples he ſhall pretend to follow. There be other Things of this Nature, wherein Men's Judgments have been perverted by truſting to Precedents: but this is enough to ſhew, that though the Sentence of the Judge be a Law to the Party pleading, yet it is no Law to any Judge, that ſhall ſucceed him in that Office.

In like Manner, when Queſtion is of the Meaning of written Laws, he is not the Interpreter of them, that writeth a Commentary upon them. For Commentaries are commonly more ſubject to Cavil, than the Text; and therefore need other Commentaries; and ſo there will be no End of ſuch Interpretation. And therefore unleſs there be an Interpreter authoriſed by the Sovereign, from which the ſubordinate Judges are not to recede, the Interpreter can be no other than the ordinary Judges, in the ſame Manner as they are in Caſes of the unwritten Law; and their Sentences are to be taken by them that plead, for Laws in that particular Caſe; but not to bind other Judges, in like Caſes to give like Judgments. For a Judge may err in the Interpretation even of written Laws; but no Error of a ſubordinate Judge, can change the Law, which is the general Sentence of the Sovereign.

The Difference between the Letter and Sentence of the Law.

In written Laws, Men uſe to make a Difference between the Letter, and the Sentence of the Law: And when by the Letter, is meant whatſoever can be gathered from the bare Words, 'tis well diſtinguiſhed. For the Significations of almoſt all Words, are either in themſelves, or in the metaphorical Uſe of them, ambiguous; and may be drawn in Argument to make many Senſes; but there is only one Senſe of the Law. But if by the Letter, be meant the literal Senſe, then the Letter, and the Sentence or Intention of the Law, is all one. For the literal Senſe is that, which the Legiſlator intended ſhould by the Letter of the Law be ſignified. Now the Intention of the Legiſlator is always ſuppoſed to be Equity: For it were a great Contumely for a Judge to think otherwiſe of the Sovereign. He ought therefore, if the Word of the Law do not fully authoriſe a reaſonable Sentence, to ſupply it with the Law of Nature; or if the Caſe be difficult, to reſpite Judgment till he have received more ample Authority. For Example, a written Law ordaineth, that he which is thruſt out of his Houſe by Force, ſhall be reſtored by Force: It happens that a Man by Negligence leaves his Houſe empty, and returning, is kept out by Force, in which Caſe there is no ſpecial Law ordained. It is evident that this Caſe is contained in the ſame Law: for elſe there is no Remedy for him at all; which is to be ſuppoſed againſt the Intention of the Legiſlator. Again, the Word of the Law commandeth to judge according to the Evidence: A Man is accuſed falſly of a Fact, which the Judge ſaw himſelf done by another; and not by him that is accuſed. In this Caſe neither the Letter of the Law ſhall be followed to the Condemnation of the Innocent, nor ſhall the Judge give Sentence againſt the Evidence of the Witneſſes; becauſe the Letter of the Law is to the contrary: but procure of the Sovereign that another be made Judge, and himſelf Witneſs. So that the Incommodity that follows the bare Words of a written Law, may lead him to the Intention of the Law, whereby to interpret the ſame the better; though no Incommodity can warrant a Sentence againſt the Law. For every Judge of Right and Wrong, is not Judge of what is commodious or incommodious to the Commonwealth.

The Abilities required in a Judge.

The Abilities required in a good Interpreter of the Law, that is to ſay, in a good Judge, are not the ſame with thoſe of an Advocate; namely, the Study of the Laws. For a Judge, as he ought to take Notice of the Fact, from none but the Witneſſes; ſo alſo he ought to take Notice of the Law, from nothing but the Statutes and Conſtitutions of the Sovereign, alledged in the Pleading, or declared to him by ſome that have Authority from the Sovereign Power to declare them; and need not take Care before-hand, what he ſhall judge; for it ſhall be given him what he ſhall ſay concerning the Fact, by Witneſſes; and what he ſhall ſay in Point of Law, from thoſe that ſhall in their Pleadings ſhew it, and by Authority interpret it upon the the Place. The Lords of Parliament in *England* were Judges, and moſt difficult Cauſes have been heard and determined by them; yet few of them were much verſed in the Study of the Laws, and fewer had made Profeſſion of them: and though they conſulted with Lawyers, that were appointed to be preſent there for that Purpoſe; yet they alone had the Authority of giving Sentence. In like manner, in the ordinary Trials of Right, twelve Men of the common People are Judges, and give Sentence, not only of the Fact, but alſo of the Right; and pronounce ſimply for the Complainant, or for the Defendant; that is to ſay, are Judges not only of the Fact, but alſo of the Right: and in a Queſtion of Crime, not only determine whether done, or not done; but alſo whether it be *Murder*, *Homicide*, *Felony*, *Aſſault*, and the like, which are Determinations of Law: but becauſe they are not ſuppoſed to know the Law themſelves, there is one that hath Authority to inform them of it, in the particular Caſe they are to judge of. But yet, if they judge not according to that he tells them, they are not ſubject thereby to any Penalty; unleſs it be made appear, they did it againſt their Conſciences, or had been corrupted by Reward.

The Things that make a good Judge, or good Interpreter of the Laws, are, firſt, *A right underſtanding* of that principal Law of Nature called *Equity*; which depending not on the reading of other Men's Writings, but on the Goodneſs of a Man's own natural Reaſon and Meditation, is preſumed to be in thoſe moſt, that have moſt Leiſure, and had the moſt Inclination to meditate thereon. Secondly, *Contempt of unneceſſary Riches*, and Preferments. Thirdly, *To be able in Judgment to diveſt himſelf of all Fear, Anger, Hatred, Love*, and *Compaſſion*. Fourthly, and laſtly, *Patience to hear, diligent Attention in hearing, and Memory to retain, digeſt, and apply what he hath heard.*

Diviſions of Law.

The Difference and Diviſion of the Laws has been made in divers Manners, according to the different Methods of thoſe Men that have written of them. For it is a Thing that dependeth not on Nature, but on the Scope of the Writer; and is ſubſervient to every Man's proper Method. In the Inſtitutions of *Juſtinian*, we find ſeven Sorts of Civil Laws. 1. The *Edicts, Conſtitutions*, and *Epiſtles of the Prince*, that is, of the Emperor; becauſe the whole Power of the People was in him. Like theſe, are the Proclamations of the Kings of *England*.

2. *The Decrees of the whole People of Rome* (comprehending the Senate) when they were put to the Queſtion by the *Senate*. Theſe were Laws, at firſt, by the Virtue of the Sovereign Power reſiding in the People; and ſuch of them as by the Emperors were not abrogated, remained Laws by the Authority Imperial. For all Laws that bind, are underſtood to be Laws by his Authority that has Power to repeal them. Somewhat like to theſe Laws, are the Acts of Parliament in *England*.

3. *The Decrees of the common People* (excluding the Senate) when they were put to the Queſtion by the *Tribune* of the People. For ſuch of them as were not abrogated by the Emperors, remained Laws by the Authority Imperial. Like to theſe, were the Orders of the Houſe of Commons in *England*.

4. *Senatûs Conſulta*, the *Orders of the Senate*; becauſe when the People of *Rome* grew ſo numerous as it was inconvenient to aſſemble them; it was thought fit by the Emperor, that Men ſhould conſult the Senate, inſtead of the People: And theſe have ſome Reſemblance with the Acts of Council.

5. *The Edicts of Prætors*, and (in ſome Caſes) of the *Ædiles:* ſuch as are the Chief Juſtices in the Courts of *England*.

6. *Reſponſa Prudentum*; which were the Sentences and Opinions of thoſe Lawyers, to whom the Emperor gave Authority to interpret the Law, and to give Anſwer to ſuch as in Matter of Law demanded their Advice; which Anſwers, the Judges in giving Judgment were obliged by the Conſtitutions of the Emperor to obſerve: And ſhould be like the Reports of Caſes judged, if other Judges be by the Law of *England* bound to obſerve them. For the Judges of the Common Law of *England*, are not properly Judges, but *Juris Conſulti*; of whom the Judges, who are either the Lords, or twelve Men of the Country, are in Point of Law to aſk Advice.

7. Alſo, *Unwritten Cuſtoms* (which in their own Nature are an Imitation of Law) by the tacit Conſent of the Emperor, in caſe they be not contrary to the Law of Nature, are very Laws.

Another Diviſion of Laws, is into *Natural* and *Poſitive*. *Natural* are thoſe which have been Laws from all Eternity; and are called not only *Natural*, but *Moral* Laws; conſiſting in the Moral Virtues, as Juſtice, Equity, and all Habits of the Mind that conduce to Peace and Charity; of which I have already ſpoken in the fourteenth and fifteenth Chapters.

Poſitive are thoſe which have not been from Eternity; but have been made Laws by the Will of thoſe that had the Sovereign Power over others; and are either written, or made known to Men, by ſome other Argument of the Will of their Legiſlator.

Another Diviſion of Law.

Again, of Poſitive Laws, ſome are *Human*, ſome *Divine*: And of Human poſitive Laws, ſome are *diſtributive*, ſome *penal*. *Diſtributive* are thoſe that determine the Rights of the Subjects, declaring to every Man what it is, by which he acquireth and holdeth a Propriety in Lands or Goods, and a Right or Liberty of Action; and theſe ſpeak to all the Subjects. *Penal* are thoſe, which declare what Penalty ſhall be inflicted on thoſe that violate the Law; and ſpeak to the Miniſters and Officers ordained for Execution. For though every one ought to be informed of the Puniſhments ordained beforehand for their Tranſgreſſion, nevertheleſs the Command is not addreſſed to the Delinquent (who cannot be ſuppoſed will faithfully puniſh himſelf) but to public Miniſters appointed to ſee the Penalty executed. And theſe penal Laws are for the moſt part written together with the Laws diſtributive; and are ſometimes called Judgments. For all Laws are general Judgments, or Sentences of the Legiſlator; as alſo every particular Judgment is a Law to him whoſe Caſe is judged.

Divine poſitive Law, how made known to be Law.

Divine poſitive Laws (for natural Laws being eternal and univerſal, are all divine) are thoſe, which being the Commandments of God (not from all Eternity, nor univerſally addreſſed to all Men, but only to a certain People, or to certain Perſons) are declared for ſuch, by thoſe whom God hath authoriſed to declare them. But this Authority of Man, to declare what be theſe poſitive Laws of God, how can it be known? God may command a Man by a ſupernatural way, to deliver Laws to other Men. But becauſe it is of the Eſſence of Law, that he who is to be obliged, be aſſured of the Authority of him that declareth it, which we cannot naturally take notice to be from God, *How can a Man without ſupernatural Revelation be aſſured of the Revelations received by the Declarer?* and, *how can he be bound to obey them?* For the firſt Queſtion, how a Man can be aſſured of the Revelation of another, without a Revelation particularly to himſelf, it is evidently impoſſible: For though a Man may be induced to believe ſuch Revelation, from the Miracles they ſee him do, or from ſeeing the extraordinary Sanctity of his Life, or from ſeeing the extraordinary Wiſdom, or extraordinary Felicity of his Actions, all which are Marks of God's extraordinary Favour; yet they are not aſſured Evidences of ſpecial Revelation. Miracles are marvellous Works; but that which is marvellous to one, may not be ſo to another. Sanctity may be feigned; and the viſible Felicities of this World, are moſt often the Work of God by natural and ordinary Cauſes. And therefore no Man can infallibly know by natural Reaſon, that another has had a ſupernatural Revelation of God's Will; but only a Belief; every one (as the Signs thereof ſhall appear greater or leſſer) a firmer or a weaker Belief.

But for the ſecond, how he can be bound to obey them; it is not ſo hard. For if the Law declared be not againſt the Law of Nature, which is undoubtedly God's Law, and he undertake to obey it, he is bound by his own Act; bound I ſay to obey it, but not bound to believe it: for Men's Belief, and interior Cogitations, are not ſubject to the Commands, but only to the Operation of God, ordinary or extraordinary. Faith of ſupernatural Law, is not a fulfilling, but only an aſſenting to the ſame; and not a Duty that we exhibit to God, but a Gift which God freely giveth to whom he pleaſeth; as alſo Unbelief is not a Breach of any of his Laws; but a Rejection of them all, except the Laws natural. But this that I ſay will be made yet clearer, by the Examples and Teſtimonies concerning this Point in holy Scripture. The

Covenant

Gen. xvii. 10.

Covenant God made with *Abraham* (in a ſupernatural manner) was thus, *This is the Covenant which thou ſhalt obſerve between me and thee, and thy Seed after thee.* *Abraham*'s Seed had not this Revelation, nor were yet in being; yet they are a Party to the Covenant, and bound to obey what *Abraham* ſhould declare to them for God's Law; which they could not be, but in virtue of the Obedience they owed to their Parents; who (if they be ſubject to no other earthly Power, as here in the Caſe of *Abraham*) have Sovereign Power over their Children and Servants. Again, where God ſaith to *Abraham*, *In thee ſhall all Nations of the Earth be bleſſed: For I know thou wilt command thy Children, and thy Houſe after thee, to keep the Way of the Lord, and to obſerve Righteouſneſs and Judgment,* it is manifeſt, the Obedience of his Family, who had no Revelation, depended on their former Obligation to obey their Sovereign. At Mount *Sinai* *Moſes* only went up to God; the People were forbidden to approach on Pain of Death; yet were they bound to obey all that *Moſes* declared to them for God's Law. Upon what Ground, but on this Submiſſion of their own, *Speak thou to us, and we will hear thee; but let not God ſpeak to us, leſt we die?* By which two Places it ſufficiently appeareth, that in a Commonwealth, a Subject that has no certain and aſſured Revelation particularly to himſelf concerning the Will of God, is to obey for ſuch, the Command of the Commonwealth: for if Men were at Liberty to take for God's Commandments, their own Dreams and Fancies, or the Dreams and Fancies of private Men, ſcarce two Men would agree upon what is God's Commandment; and yet in reſpect of them, every Man will deſpiſe the Commandments of the Commonwealth. I conclude therefore, that in all things not contrary to the Moral Law, that is to ſay, to the Law of Nature, all Subjects are bound to obey that for Divine Law, which is declared to be ſo by the Laws of the Commonwealth. Which alſo is evident to any Man's Reaſon; for whatſoever is not againſt the Law of Nature, may be made Law in the Name of them that have the Sovereign Power; and there is no reaſon Men ſhould be the leſs obliged by it, when 'tis propounded in the Name of God. Beſides, there is no place in the World where Men are permitted to pretend other Commandments of God, than are declared for ſuch by the Commonwealth. Chriſtian States puniſh thoſe that revolt from Chriſtian Religion; and all other States, thoſe that ſet up any Religion by them forbidden. For in whatſoever is not regulated by the Commonwealth, 'tis Equity (which is the Law of Nature, and therefore an eternal Law of God) that every Man equally enjoy his Liberty.

Another Diviſion of Laws.

There is alſo another Diſtinction of Laws, into *fundamental*, and *not fundamental*: but I could never ſee in any Author, what a fundamental Law ſignifieth. Neverthleſs one may very reaſonably diſtinguiſh Laws in that manner.

A fundamental Law, what.

For a fundamental Law in every Commonwealth is that, which being taken away, the Commonwealth faileth, and is utterly diſſolved; as a Building, whoſe Foundation is deſtroy'd. And therefore a fundamental Law is that, by which Subjects are bound to uphold whatſoever Power is given to the Sovereign, whether a Monarch, or a Sovereign Aſſembly, without which the Commonwealth cannot ſtand; ſuch as is the Power of War and Peace, of Judicature, of Election of Officers, and of doing whatſoever he ſhall think neceſſary for the public Good. Not fundamental is that, the abrogating whereof, draweth not with it the Diſſolution of the Commonwealth; ſuch as are the Laws concerning Controverſies between Subject and Subject. Thus much of the Diviſion of Laws.

Difference between Law and Right:

I find the Words *Lex Civilis*, and *Jus Civile*, that is to ſay, *Law* and *Right Civil*, promiſcuouſly uſed for the ſame Thing, even in the moſt learned Authors; which nevertheleſs ought not to be ſo. For *Right* is *Liberty*, namely, that Liberty which the Civil Law leaves us: But *Civil Law* is an *Obligation*; and takes from us the Liberty which the Law of Nature gave us. Nature gave a Right to every Man to ſecure himſelf by his own Strength, and to invade a ſuſpected Neighbour, by Way of Prevention: but the Civil Law takes away that Liberty, in all Caſes where the Protection of the Law may be ſafely ſtaid for. Inſomuch as *Lex* and *Jus*, are as different as *Obligation* and *Liberty*.

And between a Law and a Charter.

Likewiſe *Laws* and *Charters* are taken promiſcuouſly for the ſame Thing. Yet Charters are Donations of the Sovereign; and not Laws, but Exemptions from Law. The Phraſe of a Law is *Jubeo*, *Injungo*, *I Command*, and *Enjoin*: the Phraſe of a Charter is *Dedi*, *Conceſſi*, *I have Given*, *I have Granted*: but what is given or granted to a Man, is not forced upon him by a Law. A Law may be made to bind all the Subjects of a Commonwealth: a Liberty, or Charter, is only to one Man, or ſome one Part of the People. For to ſay all the People of a Commonwealth have Liberty in any Caſe whatſoever; is to ſay, that in ſuch Caſe, there hath been no Law made; or elſe having been made, is now abrogated.

CHAP. XXVII.

Of CRIMES, EXCUSES, *and* EXTENUATIONS.

Sin; what.

A *Sin*, is not only a Tranſgreſſion of a Law, but alſo any Contempt of the Legiſlator. For ſuch Contempt, is a Breach of all his Laws at once. And therefore may conſiſt, not only in the *Commiſſion* of a Fact, or in the Speaking of Words by the Laws forbidden, or in the *Omiſſion* of what the Law commandeth, but alſo in the *Intention*, or Purpoſe to tranſgreſs. For the Purpoſe to break the Law, is ſome Degree of Contempt of him, to whom it belongeth to ſee it executed. To be delighted in the Imagination only of being poſſeſſed of another Man's Goods, Servants, or Wife, without any Intention to take them from him by Force or Fraud, is no Breach of the Law, that ſaith, *Thou ſhalt not covet*: nor is the Pleaſure a Man may have in imagining, or dreaming of the Death of him, from whoſe Life he expecteth nothing but Damage and Diſpleaſure, a Sin; but the reſolving to put ſome Act in Execution that tendeth thereto. For to be pleaſed in the Fiction of that, which would pleaſe a Man if it were real, is a Paſſion ſo adherent to the Nature both of Man and every other living Creature, as to make it a Sin, were to make Sin of being a Man. The Conſideration of this, has made me think them too ſevere, both to themſelves and others, that maintain, that the firſt Motions of the Mind, (though checked with the Fear of God) be Sins. But I confeſs it is ſafer to err on that hand, than on the other.

A Crime, what.

A *Crime* is a Sin, conſiſting in the committing (by Deed or Word) of that which the Law forbiddeth, or the Omiſſion of what it hath commanded. So that every Crime is a Sin; but not every Sin a Crime. To intend to ſteal, or kill, is a Sin, though it never appear in Word or Fact: for God that ſeeth the Thoughts of Man, can lay it to his

Charge: but till it appear by ſomething done, or ſaid, by which the Intention may be argued by a human Judge, it hath not the Name of Crime: which Diſtinction the *Greeks* obſerved, in the Word ἁμάρτημα, and ἔγκλημα, or αἰτία; whereof the former, (which is tranſlated *Sin)* ſignifieth any ſwerving from the Law whatſoever; but the two latter, (which are tranſlated *Crime)* ſignify that Sin only, whereof one Man may accuſe another. But of Intentions, which never appear by any outward Act, there is no Place for human Accuſation. In like Manner the *Latins* by *Peccatum*, which is *Sin*, ſignify all Manner of Deviation from the Law; but by *Crimen*, (which Word they derive from *Cerno*, which ſignifies to perceive) they mean only ſuch Sins, as may be made appear before a Judge; and therefore are not mere Intentions.

Where no Civil Law is, there is no Crime.

From this Relation of Sin to the Law, and of Crime to the Civil Law, may be inferred, Firſt, that where Law ceaſeth, Sin ceaſeth. But becauſe the Law of Nature is eternal, Violation of Covenants, Ingratitude, Arrogance, and all Facts contrary to any moral Virtue, can never ceaſe to be Sin. Secondly, That the Civil Law ceaſing, Crimes ceaſe: for there being no other Law remaining but that of Nature, there is no Place for Accuſation; every Man being his own Judge, and accuſed only by his own Conſcience, and cleared by the Uprightneſs of his own Intention. When therefore his Intention is right, his Fact is no Sin: if otherwiſe, his Fact is Sin; but not Crime. Thirdly, That when the Sovereign Power ceaſeth, Crime alſo ceaſeth: for where there is no ſuch Power, there is no Protection to be had from the Law; and therefore every one may protect himſelf by his own Power: for no Man in the Inſtitution of Sovereign Power can be ſuppoſed to give away the Right of preſerving his own Body; for the Safety whereof all Sovereignty was ordained. But this is to be underſtood only of thoſe that have not themſelves contributed to the taking away of the Power that protected them: for that was a Crime from the Beginning.

Ignorance of the Law of Nature excuſeth no Man.

The Source of every Crime, is ſome Defect of the Underſtanding; or ſome Error in Reaſoning; or ſome ſudden Force of the Paſſions. Defect in the Underſtanding, is *Ignorance*; in Reaſoning, *erroneous Opinion*. Again, Ignorance is of three Sorts; of the *Law*, and of the *Sovereign*, and of the *Penalty*. Ignorance of the Law of Nature excuſeth no Man; becauſe every Man that hath attained to the Uſe of Reaſon, is ſuppoſed to know, he ought not to do to another, what he would not have done to himſelf. Therefore into what Place ſoever a Man ſhall come, if he do any thing contrary to that Law, it is a Crime. If a Man come from the *Indies* hither, and perſuade Men here to receive a new Religion, or teach them any thing that tendeth to Diſobedience of the Laws of this Country, though he be never ſo well perſuaded of the Truth of what he teacheth, he commits a Crime, and may be juſtly puniſhed for the ſame, not only becauſe his Doctrine is falſe, but alſo becauſe he does that which he would not approve in another, namely, that coming from hence, he ſhould endeavour to alter the Religion there. But Ignorance of the Civil Law, ſhall excuſe a Man in a ſtrange Country, till it be declared to him; becauſe, till then no Civil Law is binding.

Ignorance of the Civil Law excuſeth ſometimes.

In the like Manner, if the Civil Law of a Man's own Country, be not ſo ſufficiently declared, as he may know it if he will; nor the Action againſt the Law of Nature; the Ignorance is a good Excuſe: In other Caſes, Ignorance of the Civil Law excuſeth not.

Ignorance of the Sovereign excuſeth not.

Ignorance of the Sovereign Power, in the Place of a Man's ordinary Reſidence, excuſeth him not; becauſe he ought to take notice of the Power, by which he hath been protected there.

Ignorance of the Penalty excuſeth not.

Ignorance of the Penalty, where the Law is declared, excuſeth no Man: For in breaking the Law, which without a Fear of Penalty to follow, were not a Law, but vain Words, he undergoeth the Penalty, though he know not what it is; becauſe, whoſoever voluntarily doth any Action, accepteth all the known Conſequences of it; but Puniſhment is a known Conſequence of the Violation of the Laws, in every Commonwealth; which Puniſhment, if it be determined already by the Law, he is ſubject to that; if not, then he is ſubject to arbitrary Puniſhment. For it is Reaſon, that he which does Injury without other Limitation than that of his own Will, ſhould ſuffer Puniſhment without other Limitation, than that of his Will whoſe Law is thereby violated.

Puniſhments declared before the Fact, excuſe from greater Puniſhments after it.

But when a Penalty is either annexed to the Crime in the Law itſelf, or hath been uſually inflicted in the like Caſes; there the Delinquent is excuſed from a greater Penalty. For the Puniſhment fore-known, if not great enough to deter Men from the Action, is an Invitement to it: becauſe when Men compare the Benefit of their Injuſtice, with the Harm of their Puniſhment, by Neceſſity of Nature they chuſe that which appeareth beſt for themſelves: and therefore when they are puniſhed more than the Law had formerly determined, or more than others were puniſhed for the ſame Crime; it is the Law that tempted, and deceiveth them.

Nothing can be made a Crime by a Law made after the Fact.

No Law made after a Fact done, can make it a Crime: becauſe if the Fact be againſt the Law of Nature, the Law was before the Fact; and a poſitive Law cannot be taken Notice of before it be made; and therefore cannot be obligatory. But when the Law that forbiddeth a Fact, is made before the Fact be done; yet he that doth the Fact, is liable to the Penalty ordained after, in Caſe no leſſer Penalty were made known before, neither by Writing, nor by Example, for the Reaſon immediately before alledged.

Falſe Principles of Right and Wrong, Cauſes of Crime.

From Defect in Reaſoning, (that is to ſay, from Error) Men are prone to violate the Laws three Ways. Firſt, by Preſumption of falſe Principles: as when Men from having obſerved how in all Places, and in all Ages, unjuſt Actions have been authoriſed, by the Force and Victories of thoſe who have committed them; and that potent Men, breaking through the Cob-web Laws of their Country, the weaker Sort, and thoſe that have failed in their Enterprizes, have been eſteemed the only Criminals; have thereupon taken for Principles, and Grounds of their Reaſoning, *That Juſtice is but a vain Word: That whatſoever a Man can get by his own Induſtry, and Hazard, is his own: That the Practice of all Nations cannot be unjuſt: That Examples of former Times are good Arguments of doing the like again*; and many more of that Kind: Which being granted, no Act in itſelf can be a Crime, but be made ſo (not by the Law, but) by the Succeſs of them that commit it; and the ſame Fact be virtuous or vicious, as Fortune pleaſeth; ſo that what *Marius* makes a Crime, *Sylla* ſhall make meritorious, and *Cæſar* (the ſame Laws ſtanding) turn again into a Crime, to the perpetual Diſturbance of the Peace of the Commonwealth.

Falſe Teachers miſ-interpreting the Law of Nature.

Secondly, By falſe Teachers, that either miſ-interpret the Law of Nature, making it thereby repugnant to the Law Civil; or by teaching for Laws, ſuch Doctrines of their own, or Traditions of former Times, as are inconſiſtent with the Duty of a Subject.

And falſe Inferences from true Principles by Teachers.

Thirdly, By erroneous Inferences from true Principles; which happens commonly to Men that are haſty, and precipitate in concluding, and reſolving what to do; ſuch as are they that have both a great Opinion of their own Underſtanding, and believe that Things of this Nature require not Time and Study, but only common Experience and a good natural Wit; whereof no Man thinks himſelf unprovided: whereas the Knowledge of Right and Wrong, which is no leſs difficult, there is no Man will pretend to, without great and long Study. And of thoſe Defects in Reaſoning, there is none that can excuſe (though ſome of them may extenuate) a Crime, in any Man, that pretendeth to the Adminiſtration of his own private Buſineſs; much leſs in them that undertake a public Charge; becauſe they pretend to the Reaſon, upon the want whereof they would ground their Excuſe.

By their Paſſions;

Of the Paſſions that moſt frequently are the Cauſes of Crime, one is Vain-glory, or a fooliſh over-rating of their own Worth; as if Difference of Worth were an Effect of their Wit, or Riches, or Blood, or ſome other natural Quality, not depending on the Will of thoſe that have the Sovereign Authority. From whence proceedeth a Preſumption that the Puniſhments ordained by the Laws, and extended generally to all Subjects, ought not to be inflicted on them, with the ſame Rigour they are inflicted on poor, obſcure, and ſimple Men, comprehended under the Name of the *Vulgar*.

Preſumption of Riches,

Therefore it happeneth commonly, that ſuch as value themſelves by the Greatneſs of their Wealth, adventure on Crimes, upon Hope of eſcaping Puniſhment, by corrupting public Juſtice, or obtaining Pardon by Money or other Rewards.

And Friends;

And that ſuch as have Multitude of potent Kindred; and popular Men, that have gained Reputation amongſt the Multitude, take Courage to violate the Laws, from a Hope of oppreſſing the Power, to whom it belongeth to put them in Execution.

Wiſdom.

And that ſuch as have a great, and falſe Opinion of their own Wiſdom, take upon them to reprehend the Actions, and call in queſtion the Authority of them that govern, and ſo to unſettle the Laws with their public Diſcourſe, as that nothing ſhall be a Crime, but what their own Deſigns require ſhould be ſo. It happeneth alſo to the ſame Men, to be prone to all ſuch Crimes as conſiſt in Craft, and in deceiving of their Neighbours; becauſe they think their Deſigns are too ſubtile to be perceived. Theſe, I ſay, are Effects of a falſe Preſumption of their own Wiſdom. For of them that are the firſt Movers in the Diſturbance of Commonwealth (which can never happen without a Civil War) very few are left alive long enough to ſee their new Deſigns eſtabliſhed: ſo that the Benefit of their Crimes redoundeth to Poſterity, and ſuch as would leaſt have wiſhed it: which argues they were not ſo wiſe as they thought they were. And thoſe that deceive upon Hope of not being obſerved, do commonly deceive themſelves, (the Darkneſs in which they believe they lie hidden, being nothing elſe but their own Blindneſs;) and are no wiſer than Children, that think all hid by hiding their own Eyes.

And generally all vain-glorious Men, unleſs they be withal timorous, are ſubject to Anger; as being more prone than others to interpret for Contempt, the ordinary Liberty of Converſation: And there are few Crimes that may not be produced by Anger.

Hatred, Luſt, Ambition, Covetouſneſs, Cauſes of Crime.

As for the Paſſions of Hate, Luſt, Ambition, and Covetouſneſs, what Crimes they are apt to produce, is ſo obvious to every Man's Experience and Underſtanding, as there needeth nothing to be ſaid of them, ſaving that they are Infirmities, ſo annexed to the Nature of Man and all other living Creatures, as that their Effects cannot be hinder'd, but by extraordinary Uſe of Reaſon, or a conſtant Severity in puniſhing them. For in thoſe Things Men hate, they find a continual and unavoidable Moleſtation; whereby either a Man's Patience muſt be everlaſting, or he muſt be eaſed by removing the Power of that which moleſteth him: The former is difficult; the latter is many times impoſſible, without ſome Violation of the Law. Ambition and Covetouſneſs, are Paſſions alſo that are perpetually incumbent and preſſing; whereas Reaſon is not perpetually preſent to reſiſt them: and therefore whenſoever the Hope of Impunity appears, their Effects proceed. And for Luſt, what it wants in the Laſting, it hath in the Vehemence, which ſufficeth to weigh down the Apprehenſion of all eaſy, or uncertain Puniſhments.

Fear ſometimes Cauſe of Crime, as when the Danger is neither preſent, nor corporeal.

Of all Paſſions, that which inclineth Men leaſt to break the Laws, is Fear. Nay, excepting ſome generous Natures, it is the only Thing, (when there is Apparance of Profit or Pleaſure by breaking the Laws) that makes Men keep them. And yet in many Caſes a Crime may be committed through Fear..

For not every Fear juſtifies the Action it produceth, but the Fear only of corporeal Hurt, which we call *bodily Fear*, and from which a Man cannot ſee how to be delivered, but by the Action. A Man is aſſaulted, fears preſent Death, from which he ſees not how to eſcape, but by wounding him that aſſaulteth him; if he wound him to Death, this is no Crime; becauſe no Man is ſuppoſed at the making of a Commonwealth, to have abandoned the Defence of his Life or Limbs, where the Law cannot arrive time enough to his Aſſiſtance. But to kill a Man, becauſe from his Actions or his Threatnings, I may argue he will kill me when he can (ſeeing I have Time and Means to demand Protection from the Sovereign Power) is a Crime. Again, a Man receives Words of Diſgrace, or ſome little Injuries (for which they that made the Laws had aſſigned no Puniſhment, nor thought it worthy of a Man that hath the Uſe of Reaſon to take notice of) and is afraid, unleſs he revenge it, he ſhall fall into Contempt, and conſequently be obnoxious to the like Injuries from others; and to avoid this breaks the Law, and protects himſelf for the future, by the Terror of his private Revenge: This is a Crime: For the Hurt is not corporeal but phantaſtical, and (though in this Corner of the World, made ſenſible by a Cuſtom not many Years ſince begun, amongſt young and vain Men) ſo light, as a gallant Man, and one that is aſſured of his own Courage, cannot take notice of. Alſo a Man may ſtand in Fear of Spirits, either through his own Superſtition, or through too much Credit given to other Men, that tell him of ſtrange Dreams and Viſions; and thereby be made believe they will hurt him for doing, or omitting divers Things, which neverthelеſs to do, or omit, is contrary to the Laws; and that which is ſo done, or omitted, is not to be excuſed by this Fear; but is a Crime. For, as I have ſhewn before in the ſecond Chapter, Dreams be naturally but Fancies remaining in Sleep, after the Impreſſions our Senſes had formerly received waking; and when Men are by any Accident unaſſured they have ſlept, ſeem to be real Viſions; and therefore he that preſumes to break the Law upon his own, or another's Dream, or pretended Viſion, or upon other Fancy of the Power of inviſible Spirits, than is permitted by the Commonwealth, leaveth the Law of Nature, which is a certain Offence, and followeth the Imagery of his own, or another private Man's Brain, which he can never know whether it ſignifieth any thing or nothing, nor whether he that tells his Dream, ſay true or lye; which if every private Man ſhould have Leave to do (as they muſt by the Law of Nature, if any one have it) there could no Law be made to hold, and ſo all Commonwealth would be diſſolved.

Crimes not equal.

From theſe different Sources of Crimes it appears already, that all Crimes are not (as the Stoics of old Time maintained) of the ſame Allay.

There is Place not only for *Excuſe*, by which that which ſeemed a Crime, is proved to be none at all; but alſo for *Extenuation*, by which the Crime, that ſeemed great, is made leſs. For though all Crimes do equally deſerve the Name of Injuſtice, as all Deviation from a ſtraight Line is equally Crookedneſs, which the Stoics rightly obſerved; yet it does not follow that all Crimes are equally unjuſt, no more than that all crooked Lines are equally crooked; which the Stoics not obſerving, held it as great a Crime to kill a Hen, againſt the Law, as to kill one's Father.

Total Excuſes.

That which totally excuſeth a Fact, and takes away from it the Nature of a Crime, can be none but that, which at the ſame time taketh away the Obligation of the Law. For the Fact committed once againſt the Law, if he that committed it be obliged to the Law, can be no other than a Crime.

The Want of Means to know the Law, totally excuſeth: For the Law whereof a Man has no Means to inform himſelf, is not obligatory. But the Want of Diligence to enquire, ſhall not be conſidered as a Want of Means; nor ſhall any Man, that pretendeth to Reaſon enough for the Government of his own Affairs, be ſuppoſed to want Means to know the Laws of Nature; becauſe they are known by the Reaſon he pretends to: only Children and Madmen are excuſed from Offences againſt the Law natural.

Where a Man is Captive, or in the Power of the Enemy (and he is then in the Power of the Enemy, when his Perſon or his Means of Living is ſo) if it be without his own Fault, the Obligation of the Law ceaſeth; becauſe he muſt obey the Enemy, or die; and conſequently ſuch Obedience is no Crime; for no Man is obliged, when the Protection of the Law faileth, not to protect himſelf, by the beſt Means he can.

If a Man by the Terror of preſent Death, be compelled to do a Fact againſt the Law, he is totally excuſed; becauſe no Law can oblige a Man to abandon his own Preſervation. And ſuppoſing ſuch a Law were obligatory, yet a Man would reaſon thus: *If I do it not, I die preſently; if I do it, I die afterwards; therefore by doing it, there is Time of Life gained:* Nature therefore compels him to the Fact.

When a Man is deſtitute of Food, or other thing neceſſary for his Life, and cannot preſerve himſelf any other Way but by ſome Fact againſt the Law; as if in a great Famine he take the Food by Force or Stealth, which he cannot obtain for Money nor Charity; or in Defence of his Life, ſnatch away another Man's Sword, he is totally excuſed for the Reaſon next before alledged.

Excuſes againſt the Author.

Again, Facts done againſt the Law by the Authority of another, are by that Authority excuſed againſt the Author; becauſe no Man ought to accuſe his own Fact in another, that is but his Inſtrument: but it is not excuſed againſt a third Perſon thereby injured; becauſe in Violation of the Law, both the Author and Actor are Criminals. From hence it followeth, that when that Man, or Aſſembly, that hath the Sovereign Power, commandeth a Man to do that which is contrary to a former Law, the doing of it is totally excuſed: for he ought not to condemn it himſelf, becauſe he is the Author; and what cannot juſtly be condemned by the Sovereign, cannot juſtly be puniſhed by any other. Beſides, when the Sovereign commandeth any thing to be done againſt his own former Law, the Command, as to that particular Fact, is an Abrogation of the Law.

If that Man, or Aſſembly, that hath the Sovereign Power, diſclaim any Right eſſential to the Sovereignty, whereby there accrueth to the Subject any Liberty inconſiſtent with the Sovereign Power, that is to ſay, with the very Being of a Commonwealth; if the Subject ſhall refuſe to obey the Command in any thing, contrary to the Liberty granted, this is nevertheleſs a Sin, and contrary to the Duty of the Subject: for he ought to take notice of what is inconſiſtent with the Sovereignty, becauſe it was erected by his own Conſent, and for his own Defence; and that ſuch Liberty as is inconſiſtent with it, was granted through Ignorance of the evil Conſequence thereof. But if he not only diſobey, but alſo reſiſt a public Miniſter in the Execution of it, then it is a Crime; becauſe he might have been righted, without any Breach of the Peace, upon Complaint.

The Degrees of Crime are taken on divers Scales, and meaſured, Firſt, by the Malignity of the Source or Cauſe: Secondly, by the Contagion of the Example: Thirdly, by the Miſchief of the Effect: and Fourthly, by Concurrence of Times, Places, and Perſons.

Preſumption of Power aggravateth.

The ſame Fact done againſt the Law, if it proceed from Preſumption of Strength, Riches, or Friends to reſiſt thoſe that are to execute the Law, is a greater Crime, than if it proceed from Hope of not being diſcovered, or of Eſcape by Flight: For Preſumption of Impunity by Force, is a Root, from whence ſpringeth at all Times, and upon all Temptations, a Contempt of all Laws; whereas in the latter Caſe, the Apprehenſion of Danger, that makes a Man fly, renders him more obedient for the future. A Crime which we know to be ſo, is greater than the ſame Crime proceeding from a falſe Perſuaſion that it is lawful: For he that committeth it againſt his own Conſcience, preſumeth on his own Force, or other Power, which encourages him to commit the ſame again: but he that doth it by Error, after the Error ſhewn him, is conformable to the Law.

Evil Teachers, extenuate.

He, whoſe Error proceeds from the Authority of a Teacher, or an Interpreter of the Law publicly authoriſed, is not ſo faulty as he whoſe Error proceedeth from a peremptory Purſuit of his own Principles, and Reaſoning: For what is taught by one that teacheth by public Authority, the Commonwealth teacheth, and hath a Reſemblance of Law, till the ſame Authority controuleth it; and in Crimes that contain not in them a Denial of the Sovereign Power, nor are againſt an evident Law, excuſeth totally: whereas he that groundeth his Actions on his private Judgment, ought according to the Rectitude or Error thereof to ſtand or fall.

Examples of Impunity, extenuate.

The ſame Fact, if it have been conſtantly puniſhed in other Men, is a greater Crime, than if there had been many precedent Examples of Impunity. For thoſe Examples are ſo many Hopes of Impunity, given by the Sovereign himſelf: And becauſe he which furniſhes a Man with ſuch a Hope and Preſumption of Mercy, as encourageth him to offend, hath his Part in the Offence; he cannot reaſonably charge the Offender with the Whole.

Premeditation, aggravateth.

A Crime ariſing from a ſudden Paſſion, is not ſo great as when the ſame ariſeth from long Meditation: For in the former Caſe there is a Place for Extenuation, in the common Infirmity of human Nature: but he that doth it with Premeditation, has uſed Circumſpection, and caſt his Eye on the Law, on the Puniſhment, and on the Conſequence thereof to human Society; all which in committing the Crime, he hath contemned, and poſtponed to his own Appetite. But there is no Suddenneſs of Paſſion ſufficient for a total Excuſe: For all the Time between the firſt knowing of the Law, and the Commiſſion of the Fact, ſhall be taken for a Time of Deliberation; becauſe he ought by the Meditation of the Law, to rectify the Irregularity of his Paſſions.

Where the Law is publicly, and with Aſſiduity, before all the People read, and interpreted; a Fact done againſt it, is a greater Crime, than where Men are left without ſuch Inſtruction, to enquire of it with Difficulty, Uncertainty, and Interruption of their Callings, and to be informed by private Men: for in this Caſe, Part of the Fault is diſcharged upon common Infirmity; but in the former there is apparent Negligence, which is not without ſome Contempt of the Sovereign Power.

Tacit Approbation of the Sovereign, extenuates.

Thoſe Facts which the Law expreſly condemneth, but the Law-maker by other manifeſt Signs of his Will tacitly approveth, are leſs Crimes, than the ſame Facts, condemned both by the Law, and Law-maker. For ſeeing the Will of the Law-maker is a Law, there appear in this Caſe two contradictory Laws; which would totally excuſe, if Men were bound to take notice of the Sovereign's Approbation, by other Arguments, than are expreſſed by his Command. But becauſe there are Puniſhments conſequent, not only to the Tranſgreſſion of his Law, but alſo to the obſerving of it, he is in part a Cauſe of the Tranſgreſſion, and therefore cannot reaſonably impute the whole Crime to the Delinquent. For Example, the Law condemneth Duels; the Puniſhment is made capital: On the contrary Part, he that refuſeth Duel, is ſubject to Contempt and Scorn, without Remedy; and ſometimes by the Sovereign himſelf thought unworthy to have any Charge or Preferment in War: If thereupon he accept Duel, conſidering all Men lawfully endeavour to obtain the good Opinion of them that have the Sovereign Power, he ought not in Reaſon to be rigorouſly puniſhed; ſeeing Part of the Fault may be diſcharged on the Puniſher: which I ſay, not as wiſhing Liberty of private Revenges, or any other Kind of Diſobedience; but a Care in Governors, not to countenance any Thing obliquely, which directly they forbid. The Examples of Princes to thoſe that ſee them, are, and ever have been more potent to govern their Actions, than the Laws themſelves. And though it be our Duty to do, not what they do, but what they ſay; yet will that Duty never be performed, till it pleaſe God to give Men an extraordinary, and ſupernatural Grace to follow that Precept.

Compariſon of Crimes from their Effects.

Again, if we compare Crimes by the Miſchief of their Effects, Firſt, the ſame Fact, when it redounds to the Damage of many, is greater than when it redounds to the Hurt of few. And therefore, when a Fact hurteth, not only in the preſent, but alſo, (by Example) in the future, it is a greater Crime than if it hurt only in the preſent: for the former is a fertile Crime, and multiplies to the Hurt of many; the latter is barren. To maintain Doctrines contrary to the Religion eſtabliſhed in the Commonwealth, is a greater Fault, in an authoriſed Preacher, than in a private Perſon: ſo alſo is it, to live prophanely, incontinently, or do any irreligious Act whatſoevever. Likewiſe in a Profeſſor of the Law, to maintain any Point, or do any Act, that tendeth to the weakening of the Sovereign Power, is a greater Crime, than in another Man: alſo in a Man that hath ſuch Reputation for Wiſdom, as that his Counſels are followed, or his Actions imitated by many, his Fact againſt the Law, is a greater Crime than the ſame Fact in another: For ſuch Men not only commit Crime, but teach it for Law to all other Men. And generally all Crimes are the greater, by the Scandal they give; that is to ſay, by becoming Stumbling-blocks to the weak, that look not ſo much upon the Way they go in, as upon the Light that other Men carry before them.

Læſa Majeſtas.

Alſo Facts of Hoſtility againſt the preſent State of the Commonwealth, are greater Crimes, than the ſame Acts done to private Men: For the Damage extends itſelf to all: ſuch are the betraying of the Strengths, or revealing of the Secrets of the Commonwealth to an Enemy; alſo all Attempts upon the Repreſentative of the Commonwealth, be it a Monarch, or an Aſſembly; and all Endeavours by Word, or Deed, to diminiſh the Authority of the ſame, either in the preſent Time, or in Succeſſion: which Crimes the *Latins* underſtand by *Crimina læſæ Majeſtatis*, and conſiſt in Deſign or Act, contrary to a fundamental Law.

Bribery and falſe Teſtimony.

Likewiſe thoſe Crimes which render Judgments of no Effect, are greater Crimes, than Injuries done to one, or a few Perſons; as to receive Money to give falſe Judgment, or Teſtimony, is a greater Crime, than otherwiſe to deceive a Man of the like, or a greater Sum; becauſe not only he has Wrong, that falls by ſuch Judgments; but all Judgments are rendered uſeleſs, and Occaſion miniſtered to Force, and private Revenges.

Depeculation.

Alſo Robbery, and Depeculation of the public Treaſure, or Revenues, is a greater Crime, than the robbing or defrauding of a private Man; becauſe to rob the public, is to rob many at once.

Counterfeiting Authority.

Alſo the Counterfeit Uſurpation of public Miniſtry, the counterfeiting of public Seals, or public Coin, than counterfeiting of a private Man's Perſon, or his Seal; becauſe the Fraud thereof extendeth to the Damage of many.

Crimes againſt private Men compared.

Of Facts againſt the Law, done to private Men, the greater Crime is that, where the Damage in the common Opinion of Men is moſt ſenſible. And therefore

To kill againſt the Law, is a greater Crime, than any other Injury, Life preſerved.

And to kill with Torment, greater, than ſimply to kill.

And Mutilation of a Limb, greater, than the ſpoiling a Man of his Goods.

And the ſpoiling a Man of his Goods, by Terror of Death, or Wounds, than by clandeſtine Surreption.

And by clandeſtine Surreption, than by Conſent fraudulently obtained.

And the Violation of Chaſtity by Force, greater, than by Flattery.

And of a Woman married, than of a Woman not married.

For all theſe Things are commonly ſo valued; though ſome Men are more, and ſome leſs ſenſible of the ſame Offence. But the Law regardeth not the particular, but the general Inclination of Mankind.

And therefore the Offence Men take, from Contumely, in Words or Geſture, when they produce no other Harm, than the preſent Grief of him that is reproached, hath been neglected in the Laws of the *Greeks*, *Romans*, and other both antient and modern Commonwealths; ſuppoſing the true Cauſe of ſuch Grief to conſiſt, not in the Contumely, (which takes no Hold upon Men conſcious of their own Virtue) but in the Puſillanimity of him that is offended by it.

Alſo a Crime againſt a private Man, is much aggravated by the Perſon, Time, and Place. For to kill one's Parent, is a greater Crime than to kill another: for the Parent ought to have the Honour of a Sovereign, (though he have ſurrendered his Power to the Civil Law) becauſe he had it originally by Nature. And to rob a poor Man, is a greater Crime than to rob a rich Man; becauſe 'tis to the poor a more ſenſible Damage.

And a Crime committed in the Time, or Place appointed for Devotion, is greater, than if committed at another Time or Place: for it proceeds from a greater Contempt of the Law.

Many other Caſes of Aggravation, and Extenuation, might be added: by theſe I have ſet down, it is obvious to every Man, to take the Altitude of any other Crime propoſed.

Public Crimes, what.

Laſtly, becauſe in almoſt all Crimes there is an Injury done, not only to ſome private Men, but alſo to the Commonwealth; the ſame Crime, when the Accuſation is in the Name of the Commonwealth, is called a public Crime; and when in the Name of a private Man, a private Crime; and the Pleas according thereunto called Public, *Judicia Publica*, Pleas of the Crown; or private Pleas. As in an Accuſation of Murder, if the Accuſer be a private Man, the Plea is a private Plea; if the Accuſer be the Sovereign, the Plea is a public Plea.

CHAP. XXVIII.

Of PUNISHMENTS, *and* REWARDS.

The Definition of Puniſhment.

A Puniſhment, is an Evil inflicted by public Authority, on him that hath done, or omitted that which is judged by the ſame Authority to be a Tranſgreſſion of the Law; to the end that the Will of Men may thereby the better be diſpoſed to Obedience.

Right to puniſh, whence derived.

Before I infer any thing from this Definition, there is a Queſtion to be anſwered of much Importance; which is, by what Door the Right, or Authority of puniſhing in any Caſe, came in. For by that which has been ſaid before, no Man is ſuppoſed bound by Covenant, not to reſiſt Violence; and conſequently it cannot be intended, that he gave any Right to another to lay violent Hands upon his Perſon. In the making of a Commonwealth, every Man giveth away the Right of defending another; but not of defending himſelf. Alſo he obligeth himſelf to aſſiſt him that hath the Sovereignty, in the puniſhing of another; but of himſelf not. But to covenant to aſſiſt the Sovereign, in doing Hurt to another, unleſs he that covenanteth have a Right to do it himſelf, is not to give him a Right to puniſh. It is manifeſt therefore that the Right which the Commonwealth (that is, he, or they that repreſent it) hath to puniſh, is not grounded on any Conceſſion or Gift of the Subjects. But I have alſo ſhewed formerly, that before the Inſtitution of Commonwealth, every Man had a Right to every Thing, and to do whatſoever he thought neceſſary to his own Preſervation; ſubduing, hurting, or killing any Man in order thereunto. And this is the Foundation of that Right of puniſhing, which is exerciſed in every Commonwealth. For the Subjects did not give the Sovereign that Right; but only in laying down theirs, ſtrengthened him to uſe his own, as he ſhould think fit, for the Preſervation of them all: ſo that it was not given, but left to him, and to him only; and (excepting the Limits ſet him by natural Law) as entire, as in the Condition of mere Nature, and of War of every one againſt his Neighbour.

Private Injuries, and Revenges no Puniſhments:

From the Definition of Puniſhment, I infer, Firſt, that neither private Revenges, nor Injuries of private Men, can properly be ſtiled Puniſhment; becauſe they proceed not from public Authority.

Secondly, That to be neglected, and unpreferred by the public Favour, is not a Puniſhment; becauſe no Evil is thereby on any Man inflicted; he is only left in the Eſtate he was in before.

Nor Denial of Preferment:

Thirdly, That the Evil inflicted by public Authority, without precedent public Condemnation, is not to be ſtiled by the Name of Puniſhment; but of an hoſtile Act; becauſe the Fact for which a Man is puniſhed, ought firſt to be judged by public Authority, to be a Tranſgreſſion of the Law.

Nor Pain inflicted without public Hearing:

Fourthly, That the Evil inflicted by uſurped Power, and Judges without Authority from the Sovereign, is not Puniſhment; but an Act of Hoſtility; becauſe the Acts of Power uſurped, have not for Author, the Perſon condemned; and therefore are not Acts of public Authority.

Nor Pain inflicted by uſurped Power:

Fifthly, That all Evil which is inflicted without Intention, or Poſſibility of diſpoſing the Delinquent, or (by his Example) other Men, to obey the Laws, is not Puniſhment; but an Act of Hoſtility; becauſe without ſuch an End, no Hurt done is contained under that Name.

Nor Pain inflicted without Reſpect to the future Good.

Sixthly, Whereas to certain Actions, there be annexed by Nature, divers hurtful Conſequences; as when a Man in aſſaulting another, is himſelf ſlain, or wounded; or when he falleth into Sickneſs by the doing of ſome unlawful Act; ſuch Hurt, though in reſpect of God, who is the Author of Nature, it may be ſaid to be inflicted, and therefore a Puniſhment divine; yet it is not contained in the Name of Puniſhment in reſpect of Men, becauſe it is not inflicted by the Authority of Man.

Natural Evil Conſequences, no Puniſhments:

Seventhly, If the Harm inflicted be leſs than the Benefit, or Contentment that naturally followeth the Crime committed, that Harm is not within the Definition; and is rather the Price, or Redemption, than the Puniſhment of a Crime: Becauſe it is of the Nature of Puniſhment, to have for End, the diſpoſing of Men to obey the Law; which End (if it be leſs than the Benefit of the Tranſgreſſion) it attaineth not, but worketh a contrary Effect.

Hurt inflicted, if leſs than the Benefit of tranſgreſſing, is not Puniſhment.

Eighthly, If a Puniſhment be determined and preſcribed in the Law itſelf, and after the Crime committed, there be a greater Puniſhment inflicted, the Exceſs is not Puniſhment, but an Act of Hoſtility. For ſeeing the Aim of Puniſhment is not a Revenge, but Terror; and the Terror of a great Puniſhment unknown, is taken away by the Declaration of a leſs, the unexpected Addition is no part of the Puniſhment. But where there is no Puniſhment at all determined by the Law, there whatſoever is inflicted, hath the Nature of Puniſhment. For he that goes about the Violation of a Law, wherein no Penalty is determined, expecteth an indeterminate, that is to ſay, an arbitrary Puniſhment.

Where the Puniſhment is annexed to the Law, a greater Hurt is not Puniſhment, but Hoſtility:

Ninthly, Harm inflicted for a Fact done before there was a Law that forbad it, is not Puniſhment, but an Act of Hoſtility: For before the Law, there is no Tranſgreſſion of the Law: But Puniſhment ſuppoſeth a Fact judged, to have been a Tranſgreſſion of the Law; therefore Harm inflicted before the Law made, is not Puniſhment, but an Act of Hoſtility.

Hurt inflicted for a Fact done before the Law, no Puniſhment.

Tenthly, Hurt inflicted on the Repreſentative of the Commonwealth, is not Puniſhment, but an Act of Hoſtility: Becauſe it is of the Nature of Puniſhment, to be inflicted by public Authority, which is the Authority only of the Repreſentative itſelf.

The Repreſentative of the Commonwealth unpuniſhable.

Laſtly, Harm inflicted upon one that is a declared Enemy, falls not under the Name of Puniſhment: Becauſe ſeeing they were either never ſubject to the Law, and therefore cannot tranſgreſs it; or having been ſubject to it, and profeſſing to be no longer ſo, by Conſequence deny they

Hurt to revolted Subjects is done by Right of War, not by Way of Puniſhment.

can tranſgreſs it, all the Harms that can be done them, muſt be taken as Acts of Hoſtility. But in declared Hoſtility, all Infliction of Evil is lawful. From whence it followeth, that if a Subject ſhall by Fact or Word, wittingly and deliberately, deny the Authority of the Repreſentative of the Commonwealth, (whatſoever Penalty hath been formerly ordained for Treaſon) he may lawfully be made to ſuffer whatſoever the Repreſentative will: For in denying Subjection, he denies ſuch Puniſhment as by the Law hath been ordained; and therefore ſuffers as an Enemy of the Commonwealth; that is, according to the Will of the Repreſentative. For the Puniſhments ſet down in the Law, are to Subjects, not to Enemies; ſuch as are they, that having been by their own Act Subjects, deliberately revolting, deny the Sovereign Power.

The firſt, and moſt general Diſtribution of Puniſhments, is into *Divine* and *Human*. Of the former I ſhall have Occaſion to ſpeak in a more convenient Place hereafter.

Human, are thoſe Puniſhments that be inflicted by the Commandment of Man; and are either *Corporal*, or *Pecuniary*, or *Ignominy*, or *Impriſonment*, or *Exile*, or mixt of theſe.

Puniſhments Corporal.

Corporal Puniſhment is that, which is inflicted on the Body directly, and according to the Intention of him that inflicteth it: ſuch as are Stripes, and Wounds, or Deprivation of ſuch Pleaſures of the Body, as were before lawfully enjoy'd.

Capital.

And of theſe, ſome be *capital*, ſome *leſs* than *capital*. Capital is the Infliction of Death; and that either ſimply, or with Torment. Leſs than capital, are Stripes, Wounds, Chains, and any other corporal Pain, not in its own Nature mortal. For if upon the Infliction of a Puniſhment Death follow not in the Intention of the Inflicter, the Puniſhment is not to be eſteemed capital, though the Harm prove mortal by an Accident not to be foreſeen; in which Caſe Death is not inflicted, but haſtened.

Pecuniary Puniſhment, is that which conſiſteth not only in the Deprivation of a Sum of Money, but alſo of Lands, or any other Goods which are uſually bought and ſold for Money. And in caſe the Law, that ordaineth ſuch a Puniſhment, be made with Deſign to gather Money from ſuch as ſhall tranſgreſs the ſame, it is not properly a Puniſhment, but the Price of Privilege, and Exemption from the Law, which doth not abſolutely forbid the Fact, but only to thoſe that are not able to pay the Money: except where the Law is natural, or Part of Religion; for in that Caſe, it is not an Exemption from the Law, but a Tranſgreſſion of it. As where a Law exacteth a pecuniary Mulct of them that take the Name of God in vain, the Payment of the Mulct is not the Price of a Diſpenſation to ſwear, but the Puniſhment of the Tranſgreſſion of a Law undiſpenſable. In like manner if the Law impoſe a Sum of Money to be paid to him that has been injured, this is but a Satisfaction of the Hurt done him, and extinguiſheth the Accuſation of the Party injured, not the Crime of the Offender.

Ignominy.

Ignominy, is the Infliction of ſuch Evil as is made diſhonourable; or the Deprivation of ſuch Good, as is made honourable by the Commonwealth. For there be ſome Things honourable by Nature; as the Effects of Courage, Magnanimity, Strength, Wiſdom, and other Abilities of Body and Mind: Others made honourable by the Commonwealth; as Badges, Titles, Offices, or any other ſingular Mark of the Sovereign's Favour. The former, though they may fail by Nature or Accident, cannot be taken away by a Law; and therefore the Loſs of them is not Puniſhment. But the latter may be taken away by the public Authority that made them honourable, and are properly Puniſhments:

Such are degrading Men condemned, of their Badges, Titles, and Offices; or declaring them incapable of the like in Time to come.

Impriſonment.

Impriſonment, is when a Man is by public Authority deprived of Liberty; and may happen from two divers Ends; whereof one is the ſafe Cuſtody of a Man accuſed, the other is the inflicting of Pain on a Man condemned. The former is not Puniſhment; becauſe no Man is ſuppoſed to be puniſhed before he be judicially heard, and declared guilty. And therefore whatſoever Hurt a Man is made to ſuffer by Bonds or Reſtraint, before his Cauſe be heard, over and above that which is neceſſary to aſſure his Cuſtody, is againſt the Law of Nature. But the latter is Puniſhment, becauſe Evil, and inflicted by public Authority, for ſomewhat that has by the ſame Authority been judged a Tranſgreſſion of the Law. Under this Word Impriſonment, I comprehend all Reſtraint of Motion, cauſed by an external Obſtacle, be it a Houſe, which is called by the general Name of a Priſon; or an Iſland, as when Men are ſaid to be confined to it; or a Place where Men are ſet to work, as in old Time Men have been condemned to Quarries, and in theſe Times to Gallies; or be it a Chain, or any other ſuch Impediment.

Exile.

Exile, [Baniſhment] is when a Man is for a Crime condemned to depart out of the Dominion of the Commonwealth, or out of a certain Part thereof; and during a prefixed Time, or for ever, not to return into it: and ſeemeth not in its own Nature, without other Circumſtances, to be a Puniſhment; but rather an Eſcape, or a public Commandment to avoid Puniſhment by Flight. And *Cicero* ſays, there was never any ſuch Puniſhment ordained in the City of *Rome*; but calls it a Refuge of Men in Danger. For if a Man baniſhed, be nevertheleſs permitted to enjoy his Goods, and the Revenue of his Lands, the mere Change of Air is no Puniſhment; nor does it tend to that Benefit of the Commonwealth, for which all Puniſhments are ordained, that is to ſay, to the forming of Men's Wills to the Obſervation of the Law; but many times to the Damage of the Commonwealth. For a baniſhed Man, is a lawful Enemy of the Commonwealth that baniſhed him; as being no more a Member of the ſame. But if he be withal deprived of his Lands or Goods, then the Puniſhment lieth not in the Exile, but is to be reckoned amongſt Puniſhments pecuniary.

The Puniſhment of Innocent Subjects is contrary to the Law of Nature.

All Puniſhments of innocent Subjects, be they great or little, are againſt the Law of Nature: For Puniſhment is only for Tranſgreſſion of the Law, and therefore there can be no Puniſhment of the Innocent. It is therefore a Violation, firſt, of the Law of Nature, which forbiddeth all Men, in their Revenges, to look at any thing but ſome future Good: For there can arrive no Good to the Commonwealth by puniſhing the Innocent. Secondly, of that, which forbiddeth Ingratitude: For ſeeing all Sovereign Power is originally given by the Conſent of every one of the Subjects, to the End they ſhould, as long as they are obedient, be protected thereby; the Puniſhment of the Innocent, is a rendering of Evil for Good. And thirdly, of the Law that commandeth Equity; that is to ſay, an equal Diſtribution of Juſtice; which in puniſhing the Innocent is not obſerved.

But the Harm done to Innocents in War, not ſo:

But the Infliction of what Evil ſoever, on an innocent Man, that is not a Subject, if it be for the Benefit of the Commonwealth, and without Violation of any former Covenant, is no Breach of the Law of Nature. For all Men that are not Subjects, are either Enemies, or elſe they have ceaſed from being ſo, by ſome precedent Covenants. But againſt Enemies, whom the Commonwealth judgeth capable to do them Hurt, it is lawful by the original Right of Nature to make War; wherein the Sword judgeth not, nor doth the Victor make Diſtinction

Nor that which is done to declared Rebels.

of Nocent and Innocent, as to the Time paſt; nor has other Reſpect of Mercy, than as it conduceth to the Good of his own People. And upon this Ground it is, that alſo in Subjects, who deliberately deny the Authority of the Commonwealth eſtabliſhed, the Vengeance is lawfully extended, not only to the Fathers, but alſo to the third and fourth Generation not yet in being, and conſequently innocent of the Fact for which they are afflicted: becauſe the Nature of this Offence conſiſteth in the renouncing of Subjection; which is a Relapſe into the Condition of War, commonly called Rebellion; and they that ſo offend, ſuffer not as Subjects, but as Enemies. For *Rebellion* is but War renewed.

Reward, is either Salary or Grace.

Reward, is either of *Gift*, or by *Contract*. When by Contract, it is called *Salary*, and *Wages*; which is Benefit due for Service performed or promiſed. When of Gift, it is Benefit proceeding from the *Grace* of them that beſtow it, to encourage, or enable Men to do them Service. And therefore when the Sovereign of a Commonwealth appointeth a Salary to any public Office, he that receiveth it, is bound in Juſtice to perform his Office; otherwiſe, he is bound only in Honour to Acknowledgment, and an Endeavour of Requital. For though Men have no lawful Remedy, when they be commanded to quit their private Buſineſs to ſerve the Public, without Reward or Salary; yet they are not bound thereto by the Law of Nature, nor by the Inſtitution of the Commonwealth, unleſs the Service cannot otherwiſe be done; becauſe it is ſuppoſed the Sovereign may make uſe of all their Means, inſomuch as the moſt common Soldier may demand the Wages of his Warfare as a Debt.

Benefits beſtowed for Fear, are not Rewards.

The Benefits which a Sovereign beſtoweth on a Subject, for Fear of ſome Power and Ability he hath to do Hurt to the Commonwealth, are not properly Rewards, for they are not Salaries; becauſe there is in this Caſe no Contract ſuppoſed, every Man being obliged already not to do the Commonwealth Diſſervice: nor are they Graces, becauſe they be extorted by Fear, which ought not to be incident to the Sovereign Power: but are rather Sacrifices, which the Sovereign (conſidered in his natural Perſon, and not in the Perſon of the Commonwealth) makes, for the appeaſing the Diſcontent of him he thinks more potent than himſelf; and encourage not to Obedience, but on the contrary, to the Continuance and Increaſing of further Extortion.

Salaries, certain and caſual.

And whereas ſome Salaries are certain, and proceed from the public Treaſure; and others uncertain, and caſual, proceeding from the Execution of the Office for which the Salary is ordain'd; the latter is in ſome Caſes hurtful to the Commonwealth; as in the Caſe of Judicature. For where the Benefit of the Judges, and Miniſters of a Court of Juſtice, ariſeth from the Multitude of Cauſes that are brought to their Cogniſance, there muſt needs follow two Inconveniences: One, is the nouriſhing of Suits; for the more Suits, the greater Benefit: and another that depends on that, which is Contention about Juriſdiction; each Court drawing to itſelf as many Cauſes as it can. But in Offices of Execution there are not thoſe Inconveniences; becauſe their Employment cannot be increaſed by any Endeavour of their own. And thus much ſhall ſuffice for the Nature of Puniſhment, and Reward; which are, as it were, the Nerves and Tendons that move the Limbs and Joints of a Commonwealth.

Hitherto I have ſet forth the Nature of Man (whoſe Pride and other Paſſions have compelled him to ſubmit himſelf to Government) together with the great Power of his Governor, whom I compared to *Leviathan*, taking that Compariſon out of the two laſt Verſes of the forty-firſt Chapter of *Job*; where God having ſet forth the great Power

of

of *Leviathan*, calleth him King of the Proud. *There is nothing*, ſaith he, *on Earth to be compared with him. He is made ſo as not to be afraid. He ſeeth every high Thing below him; and is King of all the Children of Pride.* But becauſe he is mortal, and ſubject to Decay, as all other earthly Creatures are; and becauſe there is that in Heaven (though not on Earth) that he ſhould ſtand in Fear of, and whoſe Laws he ought to obey; I ſhall in the next following Chapters ſpeak of his Diſeaſes, and the Cauſes of his Mortality; and of what Laws of Nature he is bound to obey.

CHAP. XXIX.

Of thoſe Things that weaken, or tend to the DISSOLUTION *of a Commonwealth.*

Diſſolution of Commonwealths proceedeth from their imperfect Inſtitution.

THOUGH nothing can be immortal, which Mortals make; yet, if Men had the Uſe of Reaſon they pretend to, their Commonwealths might be ſecured, at leaſt, from periſhing by internal Diſeaſes. For by the Nature of their Inſtitution, they are deſigned to live as long as Mankind, or as the Laws of Nature, or as Juſtice itſelf, which gives them Life. Therefore when they come to be diſſolved, not by external Violence, but inteſtine Diſorder, the Fault is not in Men, as they are the *Matter*; but as they are the *Makers*, and Orderers of them. For Men, as they become at laſt weary of irregular juſtling and hewing one another, and deſire with all their Hearts to conform themſelves into one firm and laſting Edifice; ſo for Want, both of making fit Laws to ſquare their Actions by, and alſo of Humility and Patience, to ſuffer the rude and cumberſome Points of their preſent Greatneſs to be taken off, they cannot without the Help of a very able Architect, be compiled into any other than a crazy Building, ſuch as hardly laſting out their own Time, muſt aſſuredly fall upon the Heads of their Poſterity.

Amongſt the *Infirmities* therefore of a Commonwealth, I will reckon in the firſt Place, thoſe that ariſe from an imperfect Inſtitution, and reſemble the Diſeaſes of a natural Body, which proceed from a defectuous Procreation.

Want of abſolute Power.

Of which, this is one, *That a Man to obtain a Kingdom, is ſometimes content with leſs Power, than to the Peace and Defence of the Commonwealth is neceſſarily required.* From whence it cometh to paſs, that when the Exerciſe of the Power laid by is for the public Safety to be reſumed, it hath the Reſemblance of an unjuſt Act; which diſpoſeth great Numbers of Men, when Occaſion is preſented, to rebel: in the ſame Manner as the Bodies of Children, gotten by diſeaſed Parents, are ſubject either to untimely Death, or to purge the ill Quality derived from their vicious Conception, by breaking out into Biles and Scabs. And when Kings deny themſelves ſome ſuch neceſſary Power, it is not always, though ſometimes, out of Ignorance of what is neceſſary to the Office they undertake; but many times out of a Hope to recover the ſame again at their Pleaſure: Wherein they reaſon not well; becauſe ſuch as will hold them to their Promiſes, ſhall be maintained againſt them by foreign Commonwealths; who in order to the Good of their own Subjects, let ſlip few Occaſions to *weaken* the

Eſtate of their Neighbours. So was *Thomas Becket*, Archbiſhop of *Canterbury*, ſupported againſt *Henry* the Second, by the Pope; the Subjection of Eccleſiaſtics to the Commonwealth, having been diſpenſed with by *William the Conqueror* at his Reception, when he took an Oath not to infringe the Liberty of the Church. And ſo were the *Barons*, whoſe Power was by *William Rufus* (to have their Help in transferring the Succeſſion from his elder Brother to himſelf) increaſed to a Degree, inconſiſtent with the Sovereign Power, maintained in their Rebellion againſt King *John* by the *French*.

Nor does this happen in Monarchy only. For whereas the Stile of the ancient *Roman* Commonwealth, was, *The Senate, and People of Rome*; neither Senate, nor People, pretended to the whole Power; which firſt cauſed the Seditions of *Tiberius Gracchus*, *Caius Gracchus*, *Lucius Saturninus*, and others; and afterwards the Wars between the Senate and the People, under *Marius* and *Sylla*; and again under *Pompey* and *Cæſar*; to the Extinction of their Democracy, and the ſetting up of Monarchy.

The People of *Athens* bound themſelves but from one only Action; which was, that no Man, on Pain of Death, ſhould propound the renewing the War for the Iſland of *Salamis*: And yet thereby, if *Solon* had not cauſed to be given out he was mad, and afterwards in Geſture and Habit of a Madman, and in Verſe, propounded it to the People that flocked about him, they had had an Enemy perpetually in Readineſs, even at the Gates of their City; ſuch Damage or Shifts are all Commonwealths forced to, that have their Power never ſo little limited.

Private Judgment of Good and Evil.

In the ſecond Place, I obſerve the *Diſeaſes* of a Commonwealth, that proceed from the Poiſon of ſeditious Doctrines; whereof one is, *That every private Man is Judge of good and evil Actions.* This is true in the Condition of mere Nature, where there are no Civil Laws; and alſo under Civil Government, in ſuch Caſes as are not determined by the Law. But otherwiſe it is manifeſt, that the Meaſure of good and evil Actions, is the Civil Law; and the Judge the Legiſlator, who is always Repreſentative of the Commonwealth. From this falſe Doctrine, Men are diſpoſed to debate with themſelves, and diſpute the Commands of the Commonwealth; and afterwards to obey, or diſobey them, as in their private Judgments they ſhall think fit. Whereby the Commonwealth is diſtracted and *weakened*.

Erroneous Conſcience.

Another Doctrine repugnant to Civil Society, is, that *whatſoever a Man does againſt his Conſcience, is Sin*; and it dependeth on the Preſumption of making himſelf Judge of Good and Evil. For a Man's Conſcience, and his Judgment, is the ſame Thing; and as the Judgment, ſo alſo the Conſcience, may be erroneous. Therefore, though he that is ſubject to no Civil Law, ſinneth in all he does againſt his Conſcience, becauſe he has no other Rule to follow but his own Reaſon; yet it is not ſo with him that lives in a Commonwealth; becauſe the Law is the public Conſcience, by which he hath already undertaken to be guided. Otherwiſe in ſuch Diverſity, as there is of private Conſciences, which are but private Opinions, the Commonwealth muſt needs be diſtracted, and no Man dare to obey the Sovereign Power, farther than it ſhall ſeem good in his own Eyes.

Pretence of Inſpiration.

It hath alſo been commonly taught, *That Faith and Sanctity are not to be attained by Study and Reaſon, but by ſupernatural Inſpiration or Infuſion.* Which granted, I ſee not why any Man ſhould render a Reaſon of his Faith: or why every Chriſtian ſhould not be alſo a Prophet; or why any Man ſhould take the Law of his Country, rather than his own Inſpiration, for the Rule of his Action. And thus we fall again into the Fault of taking upon us to judge of Good and Evil; or to make Judges of it ſuch private Men as pretend to be ſupernaturally inſpired, to the Diſſolution of all Civil Government. Faith comes by Hearing, and Hearing by thoſe Accidents which guide us into the Preſence of them that ſpeak to us; which Accidents are all contrived by God Almighty; and yet are not ſupernatural, but only, for the great Number of them that concur to every Effect, unobſervable. Faith, and Sanctity, are indeed not very frequent; but yet they are not Miracles, but brought to paſs by Education, Diſcipline, Correction, and other natural Ways, by which God worketh them in his Elect, at ſuch Time as he thinketh fit. And theſe three Opinions, pernicious to Peace and Government, have in this Part of the World, proceeded chiefly from the Tongues and Pens of unlearned Divines; who joining the Words of Holy Scripture together, otherwiſe than is agreeable to Reaſon, do what they can, to make Men think, that Sanctity and natural Reaſon cannot ſtand together.

Subjecting the Sovereign Power to Civil Laws.

A fourth Opinion, repugnant to the Nature of a Commonwealth, is this, *That he that hath the Sovereign Power, is ſubject to the Civil Laws.* It is true, that Sovereigns are all ſubject to the Laws of Nature; becauſe ſuch Laws be divine, and cannot by any Man, or Commonwealth, be abrogated. But to thoſe Laws which the Sovereign himſelf, that is, which the Commonwealth maketh, he is not ſubject. For to be ſubject to Laws, is to be ſubject to the Commonwealth, that is, to the Sovereign Repreſentative, that is, to himſelf; which is not Subjection, but Freedom from the Laws. Which Error, becauſe it ſetteth the Laws above the Sovereign, ſetteth alſo a Judge above him, and a Power to puniſh him; which is to make a new Sovereign: and again for the ſame Reaſon a third, to puniſh the ſecond; and ſo continually without End, to the Confuſion and Diſſolution of the Commonwealth.

Attributing of abſolute Propriety to Subjects.

A fifth Doctrine, that tendeth to the Diſſolution of a Commonwealth, is, *That every private Man has an abſolute Propriety in his Goods; ſuch, as excludeth the Right of the Sovereign.* Every Man has indeed a Propriety that excludes the Right of every Subject: and he has it only from the Sovereign Power; without the Protection whereof, every other Man ſhould have equal Right to the ſame. But if the Right of the Sovereign be alſo excluded, he cannot perform the Office they have put him into; which is, to defend them both from foreign Enemies, and from the Injuries of one another; and conſequently there is no longer a Commonwealth.

And if the Propriety of Subjects, exclude not the Right of the Sovereign Repreſentative to their Goods; much leſs to their Offices of Judicature, or Execution, in which they repreſent the Sovereign himſelf.

Dividing the Sovereign Power.

There is a ſixth Doctrine, plainly and directly againſt the Eſſence of a Commonwealth; and it is this, *That the Sovereign Power may be divided.* For what is it to divide the Power of a Commonwealth, but to diſſolve it? for Powers divided, mutually deſtroy each other. And for theſe Doctrines, Men are chiefly beholding to ſome of thoſe, that making Profeſſion of the Laws, endeavour to make them depend upon their own Learning, and not upon the Legiſlative Power.

Imitation of Neighbour Nations.

And as falſe Doctrine, ſo alſo oftentimes the Example of different Government in a neighbouring Nation, diſpoſeth Men to Alteration of the Form already ſettled. So the People of the *Jews* were ſtirred up to reject God, and to call upon the Prophet *Samuel*, for a King after the Manner of the Nations: So alſo the leſſer Cities of *Greece*, were continually diſturbed, with Seditions of the Ariſtocratical, and Democratical Factions; one Part of almoſt every Commonwealth, deſiring to imitate the *Lacedæmonians*; the other, the *Athenians*. And I doubt not, but many Men have been contented to ſee the late Troubles in *England*, out of an Imitation of the *Low Countries*; ſuppoſing there needed no more to grow rich, than to change, as they had done, the Form of their Government. For the Conſtitution of Man's Nature, is of itſelf ſubject to deſire Novelty: When therefore they are provoked to the ſame, by the Neighbourhood alſo of thoſe that have been enriched by it, it is almoſt impoſſible for them not to be content with thoſe that ſolicit them to change; and love the firſt Beginnings, though they be grieved with the Continuance of Diſorder; like hot Bloods, that have gotten the Itch, tear themſelves with their own Nails, till they can endure the Smart no longer.

Imitation of the Greeks, and Romans.

And as to Rebellion in particular againſt Monarchy; one of the moſt frequent Cauſes of it, is the Reading of the Books of Policy, and Hiſtories, of the ancient *Greeks* and *Romans*; from which young Men, and all others that are unprovided of the Antidote of ſolid Reaſon, receiving a ſtrong and delightful Impreſſion of the great Exploits of War, atchieved by the Conductors of their Armies, receive withal a pleaſing Idea of all they have done beſides; and imagine their great Proſperity, not to have proceeded from the Emulation of particular Men, but from the Virtue of their popular Form of Government: Not conſidering the frequent Seditions, and Civil Wars, produced by the Imperfection of their Policy. From the reading, I ſay, of ſuch Books, Men have undertaken to kill their Kings, becauſe the *Greek* and *Latin* Writers, in their Books, and Diſcourſes of Policy, make it lawful, and laudable, for any Man ſo to do; provided before he do it, he call him Tyrant. For they ſay not *Regicide*, that is, killing of a King, but *Tyrannicide*, that is, killing of a Tyrant, is lawful. From the ſame Books, they that live under a Monarch conceive an Opinion, that the Subjects in a popular Commonwealth enjoy Liberty; but that in a Monarchy they are all Slaves. I ſay, they that live under a Monarchy conceive ſuch an Opinion; not they that live under a popular Government: for they find no ſuch Matter. In ſum, I cannot imagine, how any Thing can be more prejudicial to a Monarchy, than the allowing ſuch Books to be publicly read, without preſent applying ſuch Correctives of diſcreet Maſters as are fit to take away their Venom: Which Venom I will not doubt to compare to the biting of a mad Dog, which is a Diſeaſe the Phyſicians call *Hydrophobia*, or *Fear of Water*. For as he that is bitten, has a continual Torment of Thirſt, and yet abhorreth Water; and is in ſuch an Eſtate, as if the Poiſon endeavoured to convert him into a Dog: ſo when a Monarchy is once bitten to the Quick, by thoſe Democratical Writers, that continually ſnarl at that Eſtate; it wanteth nothing more than a ſtrong Monarch, which nevertheleſs out of a certain *Tyrannophobia*, or Fear of being ſtrongly governed, when they have him, they abhor.

As there have been Doctors, that hold there be three Souls in Man; ſo there be alſo that think there may be more Souls (that is, more Sovereigns) than one in a Commonwealth; and ſet up a *Supremacy* againſt the *Sovereignty*; *Canons* againſt *Laws*; and a *Ghoſtly Authority* againſt the *Civil*; working on Men's Minds, with Words and Diſtinctions, that of themſelves ſignify nothing, but bewray (by their Obſcurity) that there walketh (as ſome think inviſibly) another Kingdom, as it were a Kingdom of Fairies, in the Dark. Now ſeeing it is manifeſt, that the Civil Power, and the Power of the Commonwealth, is the ſame Thing;

and that Supremacy, and the Power of making Canons, and granting Faculties, implyeth a Commonwealth; it followeth, that where one is Sovereign, another Supreme; where one can make Laws, and another make Canons; there muſt needs be two Commonwealths, of one and the ſame Subjects; which is a Kingdom divided in itſelf, and cannot ſtand. For notwithſtanding the inſignificant Diſtinction of *Temporal* and *Ghoſtly*, they are ſtill two Kingdoms, and every Subject is ſubject to two Maſters. For ſeeing the *Ghoſtly* Power challengeth the Right to declare what is Sin, it challengeth by Conſequence to declare what is Law, (Sin being nothing but the Tranſgreſſion of the Law;) and again, the Civil Power challenging to declare what is Law, every Subject muſt obey two Maſters, who both will have their Commands be obſerved as Laws; which is impoſſible. Or, if it be but one Kingdom, either the *Civil*, which is the Power of the Commonwealth, muſt be ſubordinate to the *Ghoſtly*, and then there is no Sovereignty but the *Ghoſtly*; or the *Ghoſtly* muſt be ſubordinate to the *Temporal*, and then there is no *Supremacy* but the *Temporal*. When therefore theſe two Powers oppoſe one another, the Commonwealth cannot but be in great Danger of Civil War and Diſſolution. For the *Civil* Authority being more viſible, and ſtanding in the clearer Light of natural Reaſon, cannot chuſe but draw to it in all Times a very conſiderable Part of the People: And the *Spiritual*, though it ſtand in the Darkneſs of School Diſtinctions, and hard Words; yet becauſe the Fear of Darkneſs, and Ghoſts, is greater than other Fears, cannot want a Party ſufficient to trouble, and ſometimes to deſtroy a Commonwealth. And this is a Diſeaſe, which not unfitly may be compared to the Epilepſy or Falling-ſickneſs (which the *Jews* took to be one Kind of Poſſeſſion by Spirits) in the Body Natural. For as in this Diſeaſe, there is an unnatural Spirit, or Wind in the Head, that obſtructeth the Roots of the Nerves, and moving them violently, taketh away the Motion which naturally they have from the Power of the Soul in the Brain, and thereby cauſeth violent and irregular Motions (which Men call Convulſions) in the Parts; inſomuch as he that is ſeized therewith, falleth down ſometimes into the Water, and ſometimes into the Fire, as a Man deprived of his Senſes; ſo alſo in the Body Politic, when the ſpiritual Power moveth the Members of a Commonwealth, by the Terror of Puniſhments, and Hope of Rewards, (which are the Nerves of it) otherwiſe than by the Civil Power, (which is the Soul of the Commonwealth) they ought to be moved; and by ſtrange, and hard Words, ſuffocates their Underſtanding, it muſt needs thereby diſtract the People, and either overwhelm the Commonwealth with Oppreſſion, or caſt it into the Fire of a Civil War

Mixt Government.

Sometimes alſo in the merely Civil Government, there be more than one Soul: as when the Power of levying Money, (which is the nutritive Faculty) has depended on a general Aſſembly; the Power of Conduct and Command, (which is the motive Faculty) on one Man; and the Power of making Laws, (which is the rational Faculty) no the accidental Conſent, not only of thoſe two, but alſo of a third: this endangereth the Commonwealth, ſometimes for Want of Conſent to good Laws; but moſt often for Want of ſuch Nouriſhment as is neceſſary to Life and Motion. For although few perceive that ſuch Government isn ot Government, but Diviſion of the Commonwealth into three Factions, and call it mixt Monarchy; yet the Truth is, that it is not one independen Commonwealth, but three independent Factions; nor one Repreſentative Perſon, but three. In the Kingdom of God, there may be three Perſons independent, without Breach of Unity in God that reigneth; but where Men reign, that be ſubject to Diverſity of Opinions, it cannot be ſo. And therefore if the King bear the Perſon of the People, and the general Aſſembly bear alſo the Perſon of the People, and another Aſſembly bear the Perſon of a Part of the People, they are not one Perſon, nor one Sovereign, but three Perſons, and three Sovereigns.

To what Diſeaſe in the natural Body of Man, I may exactly compare this Irregularity of a Commonwealth, I know not. But I have ſeen a Man, that had another Man growing out of his Side, with an Head, Arms, Breaſt, and Stomach of his own: If he had another Man growing out of his other Side, the Compariſon might then have been exact.

Want of Money.

Hitherto I have named ſuch Diſeaſes of a Commonwealth, as are of the greateſt and moſt preſent Danger. There be other, not ſo great; which nevertheleſs are not unfit to be obſerved. As firſt, the Difficulty of raiſing Money for the neceſſary Uſes of the Commonwealth; eſpecially in the Approach of War. This Difficulty ariſeth from the Opinion, that every Subject hath of a Propriety in his Lands and Goods, excluſive of the Sovereign Right to the Uſe of the ſame. From whence it cometh to paſs, that the Sovereign Power, which foreſeeth the Neceſſities and Dangers of the Commonwealth, (finding the Paſſage of Money to the public Treaſure obſtructed by the Tenacity of the People) whereas it ought to extend itſelf, to encounter, and prevent ſuch Dangers in their Beginnings, contracteth itſelf as long as it can, and when it cannot longer, ſtruggles with the People by Stratagems of Law, to obtain little Sums, which not ſufficing, he is fain at laſt violently to open the Way for preſent Supply, or periſh; and being put often to theſe Extremities, at laſt reduceth the People to their due Temper; or elſe the Commonwealth muſt periſh. Inſomuch as we may compare this Diſtemper very aptly to an Ague; wherein, the fleſhy Parts being congealed, or by venomous Matter obſtructed; the Veins, which by their natural Courſe emptying themſelves into the Heart, are not (as they ought to be) ſupplied from the Arteries, whereby there ſucceedeth at firſt a cold Contraction, and trembling of the Limbs; and afterwards a hot, and ſtrong Endeavour of the Heart to force a Paſſage for the Blood; and before it can do that, contenteth itſelf with the ſmall Refreſhments of ſuch Things as cool for a Time, till, if Nature be ſtrong enough, it break at laſt the Contumacy of the Parts obſtructed, and diſſipateth the Venom into Sweat; or, if Nature be too weak, the Patient dieth.

Monopolies and Abuſes of Publicans.

Again, there is ſometimes in a Commonwealth a Diſeaſe, which reſembleth the Pleuriſy; and that is, when the Treaſure of the Commonwealth, flowing out of its due Courſe, is gathered together in too much Abundance, in one, or a few private Men, by Monopolies, or by Farms of the public Revenues; in the ſame Manner as the Blood in a Pleuriſy, getting into the Membrane of the Breaſt, breedeth there an Inflammation, accompanied with a Fever, and painful Stitches.

Popular Men.

Alſo, the Popularity of a potent Subject, (unleſs the Commonwealth have very good Caution of his Fidelity) is a dangerous Diſeaſe; becauſe the People, (which ſhould receive their Motion from the Authority of the Sovereign) by the Flattery, and by the Reputation of an ambitious Man, are drawn away from their Obedience to the Laws, to follow a Man, of whoſe Virtues and Deſigns they have no Knowledge. And this is commonly of more Danger in a popular Government, than in a Monarchy; becauſe an Army is of ſo great Force, and Multitude, as it may eaſily be made believe they are the People. By this Means it was, that *Julius Cæſar*, who was ſet up by the People againſt the Senate, having won to himſelf the Affections of the Army, made himſelf

Maſter both of Senate and People. And this proceeding of popular and ambitious Men, is plain Rebellion; and may be reſembled to the Effects of Witchcraft.

Exceſſive Greatneſs of a Town, Multitude of Corporations.

Another Infirmity of a Commonwealth, is the immoderate Greatneſs of a Town, when it is able to furniſh out of its own Circuit, the Number and Expence of a great Army: As alſo the great Number of Corporations; which are as it were leſſer Commonwealths in the Bowels of a greater, like Worms in the Entrails of a natural Man. To which may be added, the Liberty of diſputing againſt abſolute Power, by Pretenders to Political Prudence; which though bred for the moſt Part in the Lees of the People, yet animated by falſe Doctrines, are perpetually medling with the fundamental Laws, to the Moleſtation of the Commonwealth; like the little Worms, which Phyſicians call *Aſcarides*.

Liberty of diſputing againſt Sovereign Power.

We may further add, the inſatiable Appetite, or *Bulimia*, of enlarging Dominion; with the incurable *Wounds* thereby many times received from the Enemy; and the *Wens*, of ununited Conqueſts, which are many times a Burthen, and with leſs Danger loſt, than kept; as alſo the *Lethargy* of Eaſe, and *Conſumption* of Riot, and vain Expence.

Diſſolution of the Commonwealth.

Laſtly, when in a War (foreign or inteſtine) the Enemies get a final Victory; ſo as (the Forces of the Commonwealth keeping the Field no longer) there is no farther Protection of Subjects in their Loyalty; then is the Commonwealth *diſſolved*, and every Man at Liberty to protect himſelf by ſuch Courſes as his own Diſcretion ſhall ſuggeſt unto him. For the Sovereign is the public Soul, giving Life and Motion to the Commonwealth; which expiring, the Members are governed by it no more than the Carcaſe of a Man, by his departed (though immortal) Soul. For though the Right of a Sovereign Monarch cannot be extinguiſhed by the Act of another; yet the Obligation of the Members may. For he that wants Protection may ſeek it any where; and when he hath it, is obliged (without fraudulent Pretence of having ſubmitted himſelf out of Fear) to protect his Protection as long as he is able. But when the Power of an Aſſembly is once ſuppreſſed, the Right of the ſame periſheth utterly; becauſe the Aſſembly itſelf is extinct; and conſequently, there is no Poſſibility for the Sovereign to re-enter.

CHAP. XXX.

Of the OFFICE *of the Sovereign Repreſentative.*

The Procuration of the Good of the People.

THE *Office* of the Sovereign (be it a Monarch, or an Aſſembly) conſiſteth in the End, for which he was truſted with the Sovereign Power, namely, the Procuration of *the Safety of the People*; to which he is obliged by the Law of Nature, and to render an Account thereof to God, the Author of that Law, and to none but him. But by Safety here, is not meant a bare Preſervation, but alſo all other Contentments of Life, which every Man by lawful Induſtry, without Danger or Hurt to the Commonwealth, ſhall acquire to himſelf.

By Inſtruction and Laws.

And this is intended ſhould be done, not by Care applied to Individuals, further than their Protection from Injuries, when they ſhall complain; but by a general Providence, contained in public Inſtruction, both of Doctrine and Example; and in the making and executing of good Laws, to which individual Perſons may apply their own Caſes.

Againſt the Duty of a Sovereign to relinquiſh any eſſential Right of Sovereignty:

And becauſe, if the eſſential Right of Sovereignty (ſpecified before in the eighteenth Chapter) be taken away, the Commonwealth is thereby diſſolved, and every Man returneth into the Condition and Calamity of a War with every other Man, (which is the greateſt Evil that can happen in this Life;) it is the Office of the Sovereign, to maintain thoſe Rights entire; and conſequently againſt his Duty, Firſt, to transfer to another, or to lay from himſelf, any of them. For he that deſerteth the Means, deſerteth the Ends; and he deſerteth the Means, that being the Sovereign, acknowledgeth himſelf ſubject to the Civil Laws; and renounceth the Power of Supreme Judicature; or of making War or Peace by his own Authority; or of judging of the Neceſſities of the Commonwealth; or of levying Money and Soldiers, when, and as much as in his own Conſcience he ſhall judge neceſſary; or of making Officers and Miniſters both of War and Peace; or of appointing Teachers, and examining what Doctrines are conformable, or contrary to the Defence, Peace, and Good of the People. Secondly, it is againſt his Duty, to let the People be ignorant, or miſinformed of the Grounds and Reaſons of thoſe his eſſential Rights; becauſe thereby Men are eaſy to be ſeduced, and drawn to reſiſt him, when the Commonwealth ſhall require their Uſe and Exerciſe.

Or not to ſee the People taught the Grounds of them.

And the Grounds of theſe Rights have the rather need to be diligently and truly taught, becauſe they cannot be maintained by any Civil Law, or Terror of legal Puniſhment. For a Civil Law that ſhall forbid Rebellion, (and ſuch is all Reſiſtance to the eſſential Rights of Sovereignty) is not, as a Civil Law, any Obligation, but by Virtue only of the Law of Nature, that forbiddeth the Violation of Faith; which natural Obligation if Men know not, they cannot know the Right of any Law the Sovereign maketh. And for the Puniſhment, they take it but for an Act of Hoſtility; which when they think they have Strength enough, they will endeavour by Acts of Hoſtility to avoid.

Objection of thoſe that ſay there are no Principles of Reaſon for abſolute Sovereignty.

As I have heard ſome ſay, that Juſtice is but a Word, without Subſtance; and that whatſoever a Man can by Force or Art acquire to himſelf, (not only in the Condition of War, but alſo in a Commonwealth) is his own, which I have already ſhewed to be falſe: So there be alſo that maintain, that there are no Grounds nor Principles of Reaſon, to ſuſtain thoſe eſſential Rights, which make Sovereigns abſolute. For if there were, they would have been found out in ſome Place or other; whereas we ſee, there has not hitherto been any Commonwealth, where thoſe Rights have been acknowledged or challenged. Wherein they argue as ill, as if the ſavage People of *America* ſhould deny there were any Grounds or Principles of Reaſon, ſo to build a Houſe as to laſt as long as the Materials, becauſe they never yet ſaw any ſo well built. Time and Induſtry, produce every Day new Knowledge. And as the Art of well Building is derived from Principles of Reaſon, obſerved by induſtrious Men, that had long ſtudied the Nature of Materials, and the divers Effects of Figure and Proportion, long after Mankind began (though poorly) to build: ſo, long time after Men have begun to conſtitute Commonwealths, imperfect, and apt to relapſe into Diſorder, there may Principles of Reaſon be found out, by induſtrious Meditation, to make their Conſtitution (excepting by external Violence) everlaſting. And ſuch are thoſe which I have in this Diſcourſe ſet forth: which whether they come not into the Sight of thoſe that have Power to make uſe of them, or be neglected by them, or not, concerneth my particular Intereſt, at this Day, very little. But ſuppoſing that theſe of mine are not ſuch Principles of Reaſon, yet I am ſure they are Principles from Authority of Scripture; as I ſhall make it appear, when I ſhall come to ſpeak of the Kingdom of God (adminiſter'd by *Moſes)* over the *Jews*, his peculiar People by Covenant.

Objection from the Incapacity of the Vulgar.

But they ſay again, that though the Principles be right, yet common People are not of Capacity enough to be made to underſtand them. I ſhould be glad that the rich and potent Subjects of a Kingdom, or thoſe that are accounted the moſt learned, were no leſs incapable than they. But all Men know, that the Obſtructions to this kind of Doctrine, proceed not ſo much from the Difficulty of the Matter, as from the Intereſt of them that are to learn. Potent Men digeſt hardly any thing that ſetteth up a Power to bridle their Affections; and learned Men, any thing that diſcovereth their Errors, and thereby leſſeneth their Authority: whereas the common People's Minds, unleſs they be tainted with Dependance on the Potent, or ſcribbled over with the Opinions of their Doctors, are like clean Paper, fit to receive whatſoever by public Authority ſhall be imprinted in them. Shall whole Nations be brought to *acquieſce* in the great Myſteries of Chriſtian Religion, which are above Reaſon; and Millions of Men be made believe, that the ſame Body may be in innumerable Places at one and the ſame Time, which is againſt Reaſon? and ſhall not Men be able, by their teaching and preaching, protected by the Law, to make that received which is ſo conſonant to Reaſon, that any unprejudiced Man needs no more to learn it, than to hear it? I conclude therefore, that in the Inſtruction of the People in the eſſential Rights (which are the natural and fundamental Laws) of Sovereignty, there is no Difficulty, whilſt a Sovereign has his Power entire, but what proceeds from his own Fault, or the Fault of thoſe whom he truſteth in the Adminiſtration of the Commonwealth; and conſequently, it is his Duty, to cauſe them ſo to be inſtructed; and not only his Duty, but his Benefit alſo, and Security, againſt the Danger that may arrive to himſelf in his natural Perſon, from Rebellion.

Subjects are to be taught, not to affect Change of Government:

And, to deſcend to Particulars, the People are to be taught, Firſt, that they ought not to be in Love with any Form of Government they ſee in their neighbour Nations, more than with their own, nor (whatſoever preſent Proſperity they behold in Nations that are otherwiſe governed than they) to deſire Change. For the Proſperity of a People ruled by an ariſtocratical or democratical Aſſembly, cometh not from Ariſtocracy, nor from Democracy, but from the Obedience and Concord of the Subjects: nor do the People flouriſh in a Monarchy, becauſe one Man has the Right to rule them, but becauſe they obey him. Take away, in any kind of State, the Obedience, and conſequently the Concord of the People, and they ſhall not only not flouriſh, but in a ſhort Time be diſſolved. And they that go about by Diſobedience, to do no more than reform the Commonwealth, ſhall find they do thereby deſtroy it; like the fooliſh Daughters of *Peleus*, in the Fable, who deſiring to renew the Youth of their decrepid Father, did, by the Counſel of *Medea*, cut him in Pieces, and boil him, together with ſtrange Herbs, but made not of him a new Man. This Deſire of Change, is like the Breach of the firſt of God's Commandments: for there God ſays, *Non habebis Deos alienos*; Thou ſhalt not have the Gods of other Nations; and in another Place concerning *Kings*, that they are *Gods*.

Nor adhere, againſt the Sovereign, to popular Men:

Secondly, they are to be taught, that they are not to be led with Admiration of the Virtue of any of their fellow Subjects, how high ſoever he ſtand, nor how conſpicuouſly ſoever he ſhine in the Commonwealth; nor of any Aſſembly, except the Sovereign Aſſembly, ſo as to defer to them any Obedience or Honour, appropriate to the Sovereign only, whom, in their particular Stations, they repreſent; nor to receive any Influence from them, but ſuch as is convey'd by them from the Sovereign Authority. For that Sovereign cannot be imagined to love his People as he ought, that is not jealous of them, but ſuffers them, by the Flattery of popular Men, to be ſeduced from their Loyalty, as they have often been, not only ſecretly, but openly, ſo as to proclaim Marriage with them *in facie Eccleſiæ* by Preachers; and by publiſhing the ſame in the open Street: which may fitly be compared to the Violation of the ſecond of the Ten Commandments.

Nor to diſpute the Sovereign Power:

Thirdly, in Conſequence of this, they ought to be informed, how great a Fault it is, to ſpeak Evil of the Sovereign Repreſentative, whether one Man, or an Aſſembly of Men; or to argue and diſpute his Power, or any way to uſe his Name irreverently, whereby he may be brought into Contempt with his People, and their Obedience (in which the Safety of the Commonwealth conſiſteth) ſlackened. Which Doctrine the third Commandment by Reſemblance pointeth to.

And to have Days ſet apart to learn their Duty:

Fourthly, ſeeing People cannot be taught this, nor when it is taught, remember it, nor after one Generation paſt, ſo much as know in whom the Sovereign Power is placed, without ſetting apart from their ordinary Labour, ſome certain Times, in which they may attend thoſe that are appointed to inſtruct them; it is neceſſary that ſome ſuch Times be determined, wherein they may aſſemble together, and (after Prayers and Praiſes given to God, the Sovereigh of Sovereigns) hear thoſe their Duties told them, and the poſitive Laws, ſuch as generally concern them all, read and expounded, and be put in mind of the Authority that maketh them Laws. To this End had the *Jews* every ſeventh Day, a *Sabbath*, in which the Law was read and expounded; and in the Solemnity whereof they were put in mind, that their King was God; that having created the World in ſix Days, he reſted the ſeventh Day; and by their reſting on it from their Labour, that that God was their King, which redeemed them from their ſervile and painful Labour in *Egypt*, and gave them a Time, after they had rejoiced in God, to take Joy alſo in themſelves, by lawful Recreation. So that the firſt Table of the Commandments is ſpent all, in ſetting down the Sum of God's abſolute Power; not only as God, but as King by Pact (in peculiar) of the *Jews*; and may therefore give Light to thoſe that have Sovereign Power conferred on them by the Conſent of Men, to ſee what Doctrine they ought to teach their Subjects.

And to honour their Parents:

And becauſe the firſt Inſtruction of Children dependeth on the Care of their Parents, it is neceſſary that they ſhould be obedient to them, whilſt they are under their Tuition; and not only ſo, but that alſo afterwards, as Gratitude requireth, they acknowledge the Benefit of their Education, by external Signs of Honour. To which End they are to be taught, that originally the Father of every Man was alſo his Sovereign Lord, with Power over him of Life and Death; and that the Fathers of Families, when by inſtituting a Commonwealth they reſigned that abſolute Power, yet it was never intended they ſhould loſe the Honour due unto them for their Education. For to relinquiſh ſuch Right, was not neceſſary to the Inſtitution of Sovereign Power; nor would there be any reaſon why any Man ſhould deſire to have Children, or take the Care to nouriſh and inſtruct them, if they were afterwards to have no other Benefit from them, than from other Men. And this accordeth with the fifth Commandment.

And to avoid doing of Injury:

Again, every Sovereign ought to cauſe Juſtice to be taught, which (conſiſting in taking from no Man what is his) is as much as to ſay, to cauſe Men to be taught not to deprive their Neighbours, by Violence, or Fraud, of any thing which by the Sovereign Authority is theirs. Of Things held in Propriety, thoſe that are deareſt to a Man are his own Life and Limbs; and in the next Degree, (in moſt Men) thoſe that concern conjugal Affection; and after them Riches and Means of Living. Therefore the People are to be taught, to abſtain from Violence to one another's Perſon, by private Revenges; from Violation of conjugal Honour; and from forcible Rapine, and fraudulent Surreption of one another's Goods. For which Purpoſe it is alſo neceſſary they be ſhewed the evil Conſequences of falſe Judgment, by Corruption either of Judges or Witneſſes, whereby the Diſtinction of Propriety is taken away, and Juſtice becomes of no Effect: all which Things are intimated in the ſixth, ſeventh, eighth, and ninth Commandments.

And to do all this ſincerely from the Heart.

Laſtly, they are to be taught, that not only the unjuſt Facts, but the Deſigns and Intentions to do them, though by Accident hindered, are Injuſtice; which conſiſteth in the Pravity of the Will, as well as in the Irregularity of the Act. And this is the Intention of the tenth Commandment, and the Sum of the ſecond Table; which is reduced all to this one Commandment of mutual Charity, *Thou ſhalt love thy Neighbour as thyſelf*: as the Sum of the firſt Table is reduced to the *Love of God*; whom they had then newly received as their King.

The Uſe of Univerſities.

As for the Means and Conduits, by which the People may receive this Inſtruction, we are to ſearch, by what Means ſo many Opinions, contrary to the Peace of Mankind, upon weak and falſe Principles, have nevertheleſs been ſo deeply rooted in them. I mean thoſe, which I have in the precedent Chapter ſpecified: as, That Men ſhall judge of what is lawful and unlawful, not by the Law itſelf, but by their own Conſciences; that is to ſay, by their own private Judgments: that Subjects ſin in obeying the Commands of the Commonwealth, unleſs they themſelves have firſt judged them to be lawful: that their Propriety in their Riches is ſuch, as to exclude the Dominion, which the Commonwealth hath over the ſame: that it is lawful for Subjects to kill ſuch, as they call Tyrants: that the Sovereign Power may be divided, and the like; which come to be inſtilled into the People by this Means. They whom Neceſſity, or Covetouſneſs keepeth attent on their Trades and Labour; and they, on the other Side, whom Superfluity or Sloth carrieth after their ſenſual Pleaſures (which two Sorts of Men take up the greateſt part of Mankind) being diverted from the deep Meditation, which the learning of Truth, not only in the Matter of natural Juſtice, but alſo of all other Sciences neceſſarily requireth, receive the Notions of their Duty, chiefly from Divines in the Pulpit, and partly from ſuch of their Neighbours, or familiar Acquaintance, as having the Faculty of diſcourſing readily and plauſibly, ſeem wiſer and better learned in Caſes of Law and Conſcience, than themſelves. And the Divines, and ſuch others as make Shew of Learning, derive their Knowledge from the Univerſities, and from the Schools of Law, or from the Books, which by Men eminent in thoſe Schools and Univerſities have been publiſhed. It is therefore manifeſt, that the Inſtruction of the People dependeth wholly on the right teaching of Youth in the Univerſities. But are not (may ſome Man ſay) the Univerſities of *England* learned enough to do that? or is it you will undertake to teach the Univerſities? Hard Queſtions. Yet to the firſt, I doubt not to anſwer; that towards the latter end of *Henry the Eighth*, the Power of the Pope was always upheld againſt the Power of the Commonwealth, principally by the Univerſities; and that the Doctrines maintained by ſo many Preachers, againſt the Sovereign Power of the King, and by ſo many Lawyers and others, that had their Education there, is a ſufficient Argument, that though the Univerſities were not Authors of thoſe falſe Doctrines, yet they knew not how to plant the true. For in ſuch a Contradiction of Opinions, it is moſt certain, that they have not been ſufficiently inſtructed; and it is no Wonder, if they yet retain a Reliſh of that ſubtile Liquor, wherewith they were firſt ſeaſoned, againſt the Civil Authority. But to the latter Queſtion, it is not fit, nor needful for me to ſay either Ay, or No: for any Man that ſees what I am doing, may eaſily perceive what I think.

The Safety of the People requireth further, from him or them that have the Sovereign Power, that Juſtice be equally adminiſtered to all Degrees of People; that is, that as well the rich and mighty, as poor and obſcure Perſons, may be righted of the Injuries done them; ſo as the Great, may have no greater Hope of Impunity, when they do Violence, Diſhonour, or any Injury to the meaner Sort, than when one of theſe does the like to one of them: For in this conſiſteth Equity; to which, as being a Precept of the Law of Nature, a Sovereign is as much ſubject, as any of the meaneſt of his People. All Breaches of the Law, are Offences againſt the Commonwealth: but there be ſome, that are alſo againſt private Perſons. Thoſe that concern the Commonwealth only, may without breach of Equity be pardoned; for every Man may pardon what is done againſt himſelf, according to his own Diſcretion. But an Offence againſt a private Man, cannot in Equity be pardoned, without the Conſent of him that is injured; or reaſonable Satisfaction.

The Inequality of Subjects, proceedeth from the Acts of Sovereign Power; and therefore has no more Place in the Preſence of the Sovereign; that is to ſay, in a Court of Juſtice, than the Inequality between Kings and their Subjects, in the Preſence of the King of Kings. The Honour of great Perſons, is to be valued for their Beneficence, and the Aids they give to Men of inferior Rank, or not at all. And the Violences, Oppreſſions, and Injuries they do, are not extenuated, but aggravated by the Greatneſs of their Perſons; becauſe they have leaſt Need to commit them. The Conſequences of this Partiality towards the Great, proceed in this Manner. Impunity maketh Inſolence; Inſolence, Hatred; and Hatred, an Endeavour to pull down all oppreſſing and contumelious Greatneſs, though with the Ruin of the Commonwealth.

Equal Taxes.

To equal Juſtice, appertaineth alſo the equal Impoſition of Taxes; the Equality whereof dependeth not on the Equality of Riches, but on the Equality of the Debt, that every Man oweth to the Commonwealth for his Defence. It is not enough, for a Man to labour for the Maintenance of his Life; but alſo to fight, if need be, for the ſecuring of his Labour. They muſt either do as the *Jews* did after their Return from Captivity, in re-edifying the Temple, build with one Hand, and hold the Sword in the other; or elſe they muſt hire others to fight for them. For the Impoſitions that are laid on the People by the Sovereign Power, are nothing elſe but the Wages due to them that hold the public Sword, to defend private Men in the Exerciſe of ſeveral Trades and Callings. Seeing then the Benefit that every one receiveth thereby, is the Enjoyment of Life, which is equally dear to poor and rich; the Debt which a poor Man oweth them that defend his Life, is the ſame which a rich Man oweth for the Defence of his; ſaving that the rich, who have the Service of the poor, may be Debtors not only for their own Perſons, but for many more. Which conſidered, the Equality of Impoſition, conſiſteth rather in the Equality of that which is conſumed, than of the Riches of the Perſons that conſume the ſame. For what Reaſon is there, that he which laboureth much, and ſparing the Fruits of his Labour, conſumeth little, ſhould be more charged, than he that living idly, getteth little, and ſpendeth all he gets; ſeeing the one hath no more Protection from the Commonwealth than the other? But when the Impoſitions are laid upon thoſe Things which Men conſume, every Man payeth equally for what he uſeth: Nor is the Commonwealth defrauded by the luxurious Waſte of private Men.

Public Charity.

And whereas many Men, by Accident unevitable, become unable to maintain themſelves by their Labour; they ought not to be left to the Charity of private Perſons; but to be provided for, as far-forth as the Neceſſities of Nature require, by the Laws of the Commonwealth. For as it is Uncharitableneſs in any Man to neglect the impotent; ſo it is in the Sovereign of a Commonwealth to expoſe them to the Hazard of ſuch uncertain Charity.

Prevention of Idleneſs.

But for ſuch as have ſtrong Bodies the Caſe is otherwiſe: they are to be forced to work; and to avoid the Excuſe of not finding Employment, there ought to be ſuch Laws as may encourage all Manner of Art; as Navigation, Agriculture, Fiſhing, and all Manner of Manufacture that requires Labour. The Multitude of poor, and yet ſtrong People ſtill increaſing, they are to be tranſplanted into Countries not ſufficiently inhabited: where neverthеleſs, they are not to exterminate thoſe they find there; but conſtrain them to inhabit cloſer together, and not range a great deal of Ground, to ſnatch what they find; but to court each little Plot with Art and Labour, to give them their Suſtenance in due Seaſon. And when all the World is overcharged with Inhabitants, then the laſt Remedy of all is War; which provideth for every Man, by Victory or Death.

Good Laws, what.

To the Care of the Sovereign, belongeth the making of good Laws. But what is a good Law? By a good Law, I mean not a juſt Law: for no Law can be unjuſt. The Law is made by the Sovereign Power, and all that is done by ſuch Power, is warranted, and owned by every one of the People; and that which every Man will have ſo, no Man can ſay is unjuſt. It is in the Laws of a Commonwealth, as in the Laws of Gaming: whatſoever the Gameſters all agree on, is Injuſtice to none of them. A good Law is that, which is *needful*, for the *Good of the People*, and withal *perſpicuous*.

Such as are neceſſary.

For the Uſe of Laws, (which are but Rules authoriſed) is not to bind the People from all voluntary Actions; but to direct and keep them in ſuch a Motion, as not to hurt themſelves by their own impetuous Deſires, Raſhneſs, or Indiſcretion; as Hedges are ſet, not to ſtop Travellers, but to keep them in the Way. And therefore a Law that is not needful, having not the true End of a Law, is not good. A Law may be conceived to be good, when it is for the Benefit of the Sovereign; though it be not neceſſary for the People; but it is not ſo. For the Good of the Sovereign and People cannot be ſeparated. It is a weak Sovereign, that has weak Subjects; and a weak People, whoſe Sovereign wanteth Power to rule them at his Will. Unneceſſary Laws are not good Laws; but Traps for Money: which where the Right of Sovereign Power is acknowledged, are ſuperfluous; and where it is not acknowledged, unſufficient to defend the People.

Such as are perſpicuous.

The Perſpicuity, conſiſteth not ſo much in the Words of the Law itſelf, as in a Declaration of the Cauſes and Motives, for which it was made. That it is, that ſhews us the Meaning of the Legiſlator; and the Meaning of the Legiſlator known, the Law is more eaſily underſtood by few, than many Words. For all Words, are ſubject to Ambiguity; and therefore Multiplication of Words in the Body of the Law, is Multiplication of Ambiguity: Beſides, it ſeems to imply, by too much Diligence, that whoſoever can evade the Words, is without the Compaſs of the Law. And this is a Cauſe of many unneceſſary Proceſſes. For when I conſider how ſhort were the Laws of ancient Times; and how they grew by Degrees ſtill longer; methinks I ſee a Contention between the Penners, and Pleaders of the Law; the former ſeeking to circumſcribe the latter; and the latter to evade their Circumſcriptions; and that the Pleaders have got the Victory. It belongeth therefore to the Office of a Legiſlator (ſuch as is in all Commonwealths the ſupreme Repreſentative, be it one Man, or an Aſſembly) to make the Reaſon perſpicuous, why the Law was made; and the Body of the Law itſelf, as ſhort, but in as proper and ſignificant Terms, as may be.

Puniſhments.

It belongeth alſo to the Office of the Sovereign, to make a right Application of Puniſhments and Rewards. And ſeeing the End of Puniſhing is not Revenge, and Diſcharge of Choler; but Correction, either of the Offender, or of others by his Example; the ſevereſt Puniſhments are to be inflicted for thoſe Crimes, that are of moſt Danger to the Public; ſuch as are thoſe which proceed from Malice to the Government eſtabliſhed; thoſe that ſpring from Contempt of Juſtice; thoſe that provoke Indignation in the Multitude; and thoſe, which unpuniſhed, ſeem authoriſed, as when they are committed by Sons, Servants, or Favourites of Men in Authority: For Indignation carrieth Men, not only againſt the Actors, and Authors of Injuſtice, but againſt all Power that is likely to protect them; as in the Caſe of *Tarquin*; when for the inſolent Act of one of his Sons, he was driven out of *Rome*, and the Monarchy itſelf diſſolved. But Crimes of Infirmity; ſuch as are thoſe which proceed from great Provocation, from great Fear, great Need, or from Ignorance whether the Fact be a great Crime, or not, there is Place many times for Lenity, without Prejudice to the Commonwealth; and Lenity, when there is ſuch Place for it, is required by the Law of Nature. The Puniſhment of the Leaders, and Teachers in a Commotion, not the poor ſeduced People, when they are puniſhed, can profit the Commonwealth by their Example. To be ſevere to the People, is to puniſh that Ignorance, which may in great part be imputed to the Sovereign, whoſe Fault it was they were no better inſtructed.

Rewards.

In like manner it belongeth to the Office and Duty of the Sovereign, to apply his Rewards always ſo, as there may ariſe from them Benefit to the Commonwealth: wherein conſiſteth their Uſe and End; and is then done, when they that have well ſerved the Commonwealth, are with as little Expence of the common Treaſure, as is poſſible, ſo well recompenſed, as others thereby may be encouraged, both to ſerve the ſame as faithfully as they can, and to ſtudy the Arts by which they may be enabled to do it better. To buy with Money, or Preferment, from a popular ambitious Subject, to be quiet, and deſiſt from making ill Impreſſions ~~on~~ the Minds of the People, has nothing of the Nature of Reward; (which is ordained, not for Diſſervice, but for Service paſt;) nor a Sign of Gratitude, but of Fear: nor does it tend to the Benefit, but to the Damage of the Public. It is a Contention with Ambition, like that of *Hercules* with the Monſter *Hydra*, which having many Heads, for every one that was vanquiſhed, there grew up three. For in like manner, when the Stubbornneſs of one popular Man is overcome with Reward, there ariſe many more, by the Example, that do the ſame Miſchief, in hope of like Benefit: and as all Sorts of Manufacture, ſo alſo Malice increaſeth by being vendible. And though ſometimes a Civil War may be deferred, by ſuch Ways as that, yet the Danger grows ſtill the greater, and the public Ruin more aſſured. It is therefore againſt the Duty of the Sovereign, to whom the public Safety is committed, to reward thoſe that aſpire to Greatneſs by diſturbing the Peace of their Country, and not rather to oppoſe the Beginnings of ſuch Men, with a little Danger, than after a longer Time with greater.

Counſellors.

Another Buſineſs of the Sovereign, is to chuſe good Counſellors; I mean ſuch, whoſe Advice he is to take in the Government of the Commonwealth. For this Word Counſel, *Conſilium*, corrupted from *Conſidium*, is of a large Signification, and comprehendeth all Aſſemblies of Men that ſit together, not only to deliberate what is to be done hereafter, but alſo to judge of Facts paſt, and of Law for the preſent. I take it here in the firſt Senſe only: And in this Senſe, there is no Choice of Counſel, neither in a Democracy, nor Ariſtocracy; becauſe the Perſons counſelling are Members of the Perſon counſelled. The Choice of Counſellors therefore is proper to Monarchy; in which, the Sovereign that endeavoureth not to make choice of thoſe, that in every Kind are the moſt able, diſchargeth not his Office as he ought to do. The moſt able Counſellors, are they that have leaſt Hope of Benefit by giving evil Counſel, and moſt Knowledge of thoſe Things that conduce to the Peace and Defence of the Commonwealth. It is a hard Matter to know who expecteth Benefit from public Troubles; but the Signs that guide to a juſt Suſpicion, is the ſoothing of the People in their unreaſonable, or irremediable Grievances, by Men whoſe Eſtates are not ſufficient to diſcharge their accuſtomed Expences, and may eaſily be obſerved by any one whom it concerns to know it. But to know, who has moſt Knowledge of the public Affairs, is yet harder; and they that know them, need them a great deal leſs. For to know, who knows the Rules almoſt of any Art, is a great Degree of the Knowledge of the ſame Art; becauſe no Man can be aſſured of the Truth of another's Rules, but he that is firſt taught to underſtand them. But the beſt Signs of Knowledge of any Art, are, much converſing in it, and conſtant good Effects of it. Good Counſel comes not by Lot, nor by Inheritance; and therefore there is no more Reaſon to expect good Advice from the rich or noble, in Matter of State, than in delineating the Dimenſions of a Fortreſs; unleſs we ſhall think there needs no Method in the Study of the Politics, (as there does in the Study of Geometry) but only to be Lookers on; which is not ſo. For the Politics is the harder Study of the two. Whereas in theſe Parts of *Europe*, it hath been taken for a Right of certain Perſons, to have place in the higheſt Council of State by Inheritance; it is derived from the Conqueſts of antient *Germans*; wherein many abſolute Lords joining together to conquer other Nations, would not enter into the Confederacy without ſuch Privileges, as might be Marks of Difference in Time following, between their Poſterity, and the Poſterity of their Subjects; which Privileges being inconſiſtent with the Sovereign Power, by the Favour of the Sovereign, they may ſeem to keep; but contending for them as their Right, they muſt needs by Degrees let them go, and have at laſt no further Honour than adhereth naturally to their Abilities.

And how able ſoever be the Counſellors in any Affair, the Benefit of their Counſel is greater, when they give every one his Advice, and the Reaſons of it, apart, than when they do it in an Aſſembly, by way of Orations; and when they have premeditated, than when they ſpeak on the ſudden; both becauſe they have more Time, to ſurvey the Conſequences of Action; and are leſs ſubject to be carried away to Contradiction, through Envy, Emulation, or other Paſſions ariſing from the Difference of Opinion.

The beſt Counſel in thoſe Things that concern not other Nations, but only the Eaſe and Benefit the Subjects may enjoy, by Laws that look only inward, is to be taken from the general Informations and Complaints of the People of each Province, who are beſt acquainted with their own Wants, and ought therefore, when they demand nothing in Derogation of the eſſential Rights of Sovereignty, to be diligently taken Notice of. For without thoſe eſſential Rights, as I have often before ſaid, the Commonwealth cannot at all ſubſiſt.

Commanders.

A Commander of an Army in Chief, if he be not popular, ſhall not be beloved, nor feared as he ought to be by his Army; and conſequently cannot perform that Office with good Succeſs. He muſt therefore be induſtrious, valiant, affable, liberal and fortunate, that he may gain an Opinion both of Sufficiency, and of loving his Soldiers. This is Popularity, and breeds in the Soldiers both Deſire, and Courage, to recommend themſelves to his Favour; and protects the Severity of the General, in puniſhing, when Need is, the mutinous or negligent Soldiers. But this Love of Soldiers, if Caution be not given of the Commander's Fidelity, is a dangerous Thing to Sovereign Power; eſpecially when it is in the Hands of an Aſſembly not popular. It belongeth therefore to the Safety of the People, both that they be good Conductors and faithful Subjects, to whom the Sovereign commits his Armies.

But when the Sovereign himſelf is popular; that is, reverenced and beloved of his People, there is no Danger at all from the Popularity of a Subject. For Soldiers are never ſo generally unjuſt, as to ſide with their Captain, though they love him, againſt their Sovereign, when they love not only his Perſon, but alſo his Cauſe. And therefore thoſe, who by Violence have at any time ſuppreſſed the Power of their lawful Sovereign, before they could ſettle themſelves in his Place, have been always put to the Trouble of contriving their Titles, to ſave the People from the Shame of receiving them. To have a known Right to Sovereign Power, is ſo popular a Quality, as he that has it needs no more, for his Part, to turn the Hearts of his Subjects to him, but that they ſee him able abſolutely to govern his own Family: nor, on the Part of his Enemies, but a diſbanding of their Armies. For the greateſt and moſt active part of Mankind, has never hitherto been well contented with the preſent.

Concerning the Offices of one Sovereign to another, which are comprehended in that Law which is commonly called the *Law of Nations*, I need not ſay any thing in this Place; becauſe the Law of Nations, and the Law of Nature, is the ſame thing. And every Sovereign hath the ſame Right, in procuring the Safety of his People, that any particular Man can have, in procuring the Safety of his own Body. And the ſame Law that dictateth to Men that have no Civil Government, what they ought to do, and what to avoid in regard of one another, dictateth the ſame to Commonwealths, that is, to the Conſciences of Sovereign Princes, and Sovereign Aſſemblies; there being no Court of natural Juſtice, but in the Conſcience only, where not Man, but God reigneth; whoſe Laws (ſuch of them as oblige all Mankind) in reſpect of God, as he is the Author of Nature, are *natural*; and in reſpect of the ſame God, as he is King of Kings, are *Laws*. But of the Kingdom of God, as King of Kings, and as King alſo of a peculiar People, I ſhall ſpeak in the reſt of this Diſcourſe.

CHAP.

CHAP. XXXI.

Of the Kingdom of GOD *by* NATURE.

The Scope of the following Chapters.

THAT the Condition of mere Nature, that is to ſay, of abſolute Liberty, ſuch as is theirs, that neither are Sovereigns, nor Subjects, is Anarchy, and the Condition of War: that the Precepts, by which Men are guided to avoid that Condition, are the Laws of Nature: that a Commonwealth, without Sovereign Power, is but a Word, without Subſtance, and cannot ſtand: that Subjects owe to Sovereigns, ſimple Obedience in all things, wherein their Obedience is not repugnant to the Laws of God, I have ſufficiently proved, in that which I have already written. There wants only, for the entire Knowledge of Civil Duty, to know what are thoſe Laws of God. For without that, a Man knows not, when he is commanded any thing by the Civil Power, whether it be contrary to the Law of God, or not: And ſo, either by too much Civil Obedience, offends the Divine Majeſty, or through Fear of offending God, tranſgreſſes the Commandments of the Commonwealth. To avoid both theſe Rocks, it is neceſſary to know what are the Laws Divine. And ſeeing the Knowledge of all Law, dependeth on the Knowledge of the Sovereign Power; I ſhall ſay ſomething in that which followeth of the *Kingdom of God*.

Pſal. xcvi. 1. Pſal. xcviii. 1. Who are Subjects in the Kingdom of God.

God is King, let the Earth rejoyce, ſaith the Pſalmiſt. And again, *God is King, though the Nations be angry; and he that ſitteth on the Cherubims, though the Earth be moved.* Whether Men will or not, they muſt be ſubject always to the Divine Power. By denying the Exiſtence or Providence of God, Men ſhake off their Eaſe, but not their Yoke. But to call this Power of God, which extendeth itſelf not only to Man, but alſo to Beaſts, and Plants, and Bodies inanimate, by the Name of Kingdom, is but a metaphorical Uſe of the Word. For he only is properly ſaid to reign, that governs his Subjects, by his Word, and by Promiſe of Rewards to thoſe that obey it, and by threatening them with Puniſhment that obey it not. Subjects therefore, in the Kingdom of God, are not Bodies inanimate, nor Creatures irrational; becauſe they underſtand no Precepts as his: nor Atheiſts; nor they that believe not that God has any Care of the Actions of Mankind; becauſe they acknowledge no Word for his, nor have Hope of his Rewards, or Fear of his Threatenings. They therefore that believe there is a God that governeth the World, and hath given Precepts, and propounded Rewards and Puniſhments to Mankind, are God's Subjects; all the reſt are to be underſtood as Enemies.

A three-fold Word of God, Reaſon, Revelation, Prophecy.

To rule by Words, requires that ſuch Words be manifeſtly made known; for elſe they are no Laws: For to the Nature of Laws belongeth a ſufficient and clear Promulgation, ſuch as may take away the Excuſe of Ignorance; which in the Laws of Men is but of one only Kind, and that is, Proclamation, or Promulgation by the Voice of Man. But God declareth his Laws three Ways; by the Dictates of *natural Reaſon*, by *Revelation*, and by the *Voice* of ſome *Man*, to whom by the Operation of Miracles he procureth Credit with the reſt. From hence there ariſeth a triple Word of God, *Rational*, *Senſible*, and *Prophetic*: to which correſpondeth a triple Hearing: *Right Reaſon*, *Senſe Supernatural*, and *Faith*. As for Senſe Supernatural, which conſiſteth in Revelation, or Inſpiration, there have not been any univerſal Laws ſo given, becauſe God ſpeaketh not in that manner, but to particular Perſons, and to divers Men divers Things.

A twofold Kingdom of God, Natural and Prophetic.

From the Difference between the other two kinds of God's Word, *rational* and *prophetic*, there may be attributed to God, a twofold Kingdom, *natural* and *prophetic*: Natural, wherein he governeth as many of Mankind as acknowledge his Providence, by the natural Dictates of right Reaſon; and prophetic, wherein having choſen out one peculiar Nation (the *Jews*) for his Subjects, he governed them, and none but them, not only by natural Reaſon, but by poſitive Laws, which he gave them by the Mouths of his holy Prophets. Of the natural Kingdom of God I intend to ſpeak in this Chapter.

The Right of God's Sovereignty is derived from his Omnipotence.

The Right of Nature, whereby God reigneth over Men, and puniſheth thoſe that break his Laws, is to be derived, not from his creating them, as if he required Obedience as of Gratitude for his Benefits; but from his *irreſiſtible Power*. I have formerly ſhewn, how the Sovereign Right ariſeth from Pact: To ſhew how the ſame Right may ariſe from Nature, requires no more, but to ſhew in what Caſe it is never taken away. Seeing all Men by Nature had Right to all Things, they had Right every one to reign over all the reſt. But becauſe this Right could not be obtained by Force, it concerned the Safety of every one, laying by that Right, to ſet up Men (with Sovereign Authority) by common Conſent, to rule and defend them: whereas if there had been any Man of Power irreſiſtible, there had been no Reaſon why he ſhould not by that Power have ruled and defended both himſelf and them, according to his own Diſcretion. To thoſe therefore whoſe Power is irreſiſtible, the Dominion of all Men adhereth naturally by their Excellence of Power; and conſequently it is from that Power, that the Kingdom over Men, and the Right of afflicting Men at his Pleaſure, belongeth naturally to God Almighty; not as Creator and gracious, but as omnipotent. And though Puniſhment be due for Sin only, becauſe by that Word is underſtood Affliction for Sin; yet the Right of afflicting is not always derived from Men's Sin, but from God's Power.

Sin, not the Cauſe of all Affliction.

This Queſtion, *Why evil Men often proſper, and good Men ſuffer Adverſity*, has been much diſputed by the Antients, and is the ſame with this of ours, *by what Right God diſpenſeth the Proſperities and Adverſities of this Life*; and is of that Difficulty, as it hath ſhaken the Faith, not only of the Vulgar, but of Philoſophers, and which is more, of the Saints, concerning the Divine Providence. *How good* (ſaith *David*) *is the God of Iſrael to thoſe that are upright in Heart; and yet my Feet were almoſt gone, my Treadings had well-nigh ſlipt; for I was grieved at the Wicked, when I ſaw the Ungodly in ſuch Proſperity.* And *Job*, how earneſtly does he expoſtulate with God, for the many Afflictions he ſuffered, notwithſtanding his Righteouſneſs? This Queſtion in the Caſe of *Job*, is decided by God himſelf, not by Arguments derived from *Job*'s Sin, but his own Power. For whereas the Friends of *Job* drew their Arguments from his Affliction to his Sin, and he defended himſelf by the Conſcience of his Innocence, God himſelf taketh up the Matter, and having juſtified the Affliction by Arguments drawn from his Power, ſuch as this, *Where waſt thou when I laid the Foundations of the Earth?* and the like, both approved *Job*'s Innocence, and reproved the erroneous Doctrine of his Friends. Conformable to this Doctrine is the Sentence of our Saviour, concerning the Man that was born blind, in theſe Words, *Neither hath this Man ſinned, nor his Fathers; but that the Works of God might be made manifeſt in him.* And though it be ſaid, *That Death entered into the World by Sin* (by which is meant, that if *Adam* had never ſinned, he had never died, that is, never ſuffered any Separation of his

Pſal. lxxii. 1, 2, 3.

Job xxxviii. 4.

Soul from his Body) it follows not thence, that God could not juſtly have afflicted him, though he had not ſinned, as well as he afflicteth other living Creatures that cannot ſin.

Divine Laws.

Having ſpoken of the Right of God's Sovereignty, as grounded only on Nature, we are to conſider next, what are the Divine Laws, or Dictates of natural Reaſon; which Laws concern either the natural Duties of one Man to another, or the Honour naturally due to our Divine Sovereign. The firſt are the ſame Laws of Nature, of which I have ſpoken already in the fourteenth and fifteenth Chapters of this Treatiſe, namely, Equity, Juſtice, Mercy, Humility, and the reſt of the moral Virtues. It remaineth therefore that we conſider, what Precepts are dictated to Men by their natural Reaſon only, without other Word of God, touching the Honour and Worſhip of the Divine Majeſty.

Honour and Worſhip, what.

Honour conſiſteth in the inward Thought, and Opinion of the Power and Goodneſs of another: and therefore to honour God, is to think as highly of his Power and Goodneſs as is poſſible. And of that Opinion, the external Signs appearing in the Words and Actions of Men, are called *Worſhip*; which is one Part of that which the *Latins* underſtand by the Word *Cultus*: For *Cultus* ſignifieth properly and conſtantly, that Labour which a Man beſtows on any thing, with a Purpoſe to make Benefit by it. Now thoſe Things whereof we make Benefit, are either ſubject to us, and the Profit they yield followeth the Labour we beſtow upon them, as a natural Effect; or they are not ſubject to us, but anſwer our Labour, according to their own Wills. In the firſt Senſe, the Labour beſtowed on the Earth is called *Culture*; and the Education of Children, a *Culture* of their Minds. In the ſecond Senſe, where Men's Wills are to be wrought to our Purpoſe, not by Force, but by Complaiſance, it ſignifieth as much as courting, that is, a winning of Favour by good Offices; as by Praiſes, by acknowledging their Power, and by whatſoever is pleaſing to them from whom we look for any Benefit. And this is properly *Worſhip*: in which Senſe *Publicola* is underſtood for a Worſhipper of the People, and *Cultus Dei* for the Worſhip of God.

Several Signs of Honour.

From internal Honour, conſiſting in the Opinion of Power and Goodneſs, ariſe three Paſſions; *Love*, which hath Reference to Goodneſs; and *Hope* and *Fear*, that relate to Power: And three Parts of external Worſhip; *Praiſe*, *Magnifying*, and *Bleſſing*: The Subject of Praiſe, being Goodneſs; the Subject of Magnifying and Bleſſing, being Power, and the Effect thereof Felicity. Praiſe and Magnifying are ſignified both by Words and Actions: By Words, when we ſay a Man is good or great; by Actions, when we thank him for his Bounty, and obey his Power. The Opinion of the Happineſs of another, can only be expreſſed by Words.

Worſhip, natural and arbitrary.

There be ſome Signs of Honour, both in Attributes and Actions, that be naturally ſo; as amongſt Attributes, *good*, *juſt*, *liberal*, and the like; and amongſt Actions, *Prayers*, *Thanks*, and *Obedience*. Others are ſo by Inſtitution, or Cuſtom of Men; and in ſome Times and Places are honourable, in others diſhonourable, in others indifferent: ſuch as are the Geſtures in Salutation, Prayer, and Thankſgiving, in different Times and Places, differently uſed. The former is *natural*, the latter *arbitrary* Worſhip.

Worſhip, commanded and free.

And of arbitrary Worſhip, there be two Differences: For ſometimes it is a *commanded*, ſometimes *voluntary* Worſhip: Commanded, when it is ſuch as he requireth, who is worſhipped; free, when it is ſuch as the Worſhipper thinks fit. When it is commanded, not the Words, or Geſture, but the Obedience is the Worſhip. But when free, the

Worſhip conſiſts in the Opinion of the Beholders: for if to them the Words or Actions by which we intend Honour, ſeem ridiculous, and tending to Contumely, they are no Worſhip, becauſe no Signs of Honour; and no Signs of Honour, becauſe a Sign is not a Sign to him that giveth it, but to him to whom it is made; that is, to the Spectator.

Worſhip, public and private.

Again, there is a *public* and a *private* Worſhip. Public, is the Worſhip that a Commonwealth performeth, as one Perſon. Private, is that which a private Perſon exhibiteth. Public, in Reſpect of the whole Commonwealth, is free; but in Reſpect of particular Men is not ſo. Private, is in ſecret free; but in the Sight of the Multitude, it is never without ſome Reſtraint, either from the Laws, or from the Opinion of Men; which is contrary to the Nature of Liberty.

The End of Worſhip.

The End of Worſhip amongſt Men, is Power. For where a Man ſeeth another worſhipped, he ſuppoſeth him powerful, and is the readier to obey him; which makes his Power greater. But God has no Ends: the Worſhip we do him, proceeds from our Duty, and is directed according to our Capacity, by thoſe Rules of Honour, that Reaſon dictateth to be done by the weak to the more potent Men, in hope of Benefit, for fear of Damage, or in Thankfulneſs for Good already received from them.

Attributes of divine Honour.

That we may know what Worſhip of God is taught us by the Light of Nature, I will begin with his Attributes. Where, Firſt, it is manifeſt, we ought to attribute to him *Exiſtence:* For no Man can have the Will to honour that, which he thinks not to have any Being.

Secondly, That thoſe Philoſophers, who ſaid the World, or the Soul of the World, was God, ſpake unworthily of him; and denied his Exiſtence: For by God, is underſtood the Cauſe of the World; and to ſay the World is God, is to ſay there is no Cauſe of it, that is, no God.

Thirdly, To ſay the World was not created, but eternal, (ſeeing that which is eternal has no Cauſe) is to deny there is a God.

Fourthly, That they who attributing (as they think) Eaſe to God, take from him the Care of Mankind; take from him his Honour: for it takes away Men's Love, and Fear of him; which is the Root of Honour.

Fifthly, In thoſe Things that ſignify Greatneſs and Power; to ſay he is *finite*, is not to honour him: For it is not a Sign of the Will to honour God, to attribute to him leſs than we can; and finite is leſs than we can; becauſe to finite, it is eaſy to add more.

Therefore to attribute *Figure* to him, is not Honour; for all Figure is finite:

Nor to ſay we conceive, and imagine, or have an *Idea* of him, in our Mind: for whatſoever we conceive is finite:

Nor to attribute to him *Parts*, or *Totality*; which are the Attributes only of Things finite:

Nor to ſay he is in this, or that *Place:* for whatſoever is in Place, is bounded, and finite:

Nor that he is *moved*, or *reſteth:* for both theſe Attributes aſcribe to him Place:

Nor that there be more Gods than one; becauſe it implies them all finite: for there cannot be more than one infinite:

Nor to aſcribe to him (unleſs metaphorically, meaning not the Paſſion, but the Effect) Paſſions that partake of Grief; as *Repentance*, *Anger*, *Mercy:* or of Want; as *Appetite*, *Hope*, *Deſire*; or of any paſſive Faculty: For Paſſion is Power limited by ſomewhat elſe.

And therefore when we aſcribe to God a *Will*, it is not to be underſtood, as that of Man, for a *rational Appetite*; but as the Power, by which he effecteth every thing.

Likewiſe when we attribute to him *Sight*, and other Acts of Senſe; as alſo *Knowledge*, and *Underſtanding*; which in us is nothing elſe, but a Tumult of the Mind, raiſed by external Things that preſs the organical Parts of Man's Body: For there is no ſuch Thing in God; and Things that depend on natural Cauſes, cannot be attributed to him.

He that will attribute to God, nothing but what is warranted by natural Reaſon, muſt either uſe ſuch negative Attributes, *Infinite*, *Eternal*, *Incomprehenſible*; or Superlatives, as *moſt High*, *moſt Great*, and the like; or Indefinite, as *Good*, *Juſt*, *Holy*, *Creator*; and in ſuch Senſe, as if he meant not to declare what he is, (for that were to circumſcribe him within the Limits of our Fancy) but how much we admire him, and how ready we would be to obey him; which is a Sign of Humility, and of a Will to honour him as much as he can: For there is but one Name to ſignify the Conception of his Nature, and that is, I AM: and but one Name of his Relation to us, and that is GOD; in which is contained Father, King, and Lord.

Actions that are Signs of divine Honour.

Concerning the Actions of Divine Worſhip, it is a moſt general Precept of Reaſon, that they be Signs of the Intention to honour God; ſuch as are, Firſt, *Prayers*: For not the Carvers, when they made Images, were thought to make them Gods; but the People that *prayed* to them.

Secondly, *Thankſgiving*; which differeth from Prayer in Divine Worſhip, no otherwiſe, than that Prayers precede, and Thanks ſucceed the Benefit; the End both of the one and the other, being to acknowledge God, for Author of all Benefits, as well paſt, as future.

Thirdly, *Gifts*; that is to ſay, *Sacrifices* and *Oblations*, (if they be of the beſt) are Signs of Honour: for they are Thankſgivings.

Fourthly, *Not to ſwear by any but God*, is naturally a Sign of Honour; for it is a Confeſſion that God only knoweth the Heart; and that no Man's Wit, or Strength, can protect a Man againſt God's Vengeance on the perjured.

Fifthly, It is a Part of rational Worſhip, to ſpeak conſiderately of God; for it argues a Fear of him, and Fear is a Confeſſion of his Power. Hence followeth, That the Name of God is not to be uſed raſhly and to no Purpoſe; for that is as much, as in Vain: And it is to no Purpoſe, unleſs it be by Way of Oath, and by Order of the Commonwealth, to make Judgments certain; or between Commonwealths, to avoid War. And that diſputing of God's Nature is contrary to his Honour: For it is ſuppoſed, that within this natural Kingdom of God, there is no other Way to know any Thing, but by natural Reaſon; that is, from the Principles of natural Science; which are ſo far from teaching us any thing of God's Nature, as they cannot teach us our own Nature, nor the Nature of the ſmalleſt Creature living. And therefore, when Men out of the Principles of natural Reaſon, diſpute of the Attributes of God, they but diſhonour him: For in the Attributes which we give to God, we are not to conſider the Signification of philoſophical Truth; but the Signification of pious Intention, to do him the greateſt Honour we are able. From the Want of which Conſideration, have proceeded the Volumes of Diſputation about the Nature of God, that tend not to his Honour, but to the Honour of our own Wits, and Learning; and are nothing elſe but inconſiderate, and vain Abuſes of his ſacred Name.

Sixthly, In *Prayers*, *Thankſgiving*, *Offerings* and *Sacrifices*, it is a Dictate of natural Reaſon, that they be every one in his Kind the beſt, and moſt ſignificant of Honour. As for Example, that Prayers, and Thankſgiving, be made in Words and Phraſes, not ſudden, nor light, nor plebeian; but beautiful, and well-compoſed; for elſe we do not God as much Honour as we can. And therefore the Heathens did abſurdly, to worſhip Images for Gods: But their doing it in Verſe, and with Muſic, both of Voice and Inſtruments, was reaſonable. Alſo that the Beaſts they offered in Sacrifice, and the Gifts they offered, and their Actions in worſhipping, were full of Submiſſion, and commemorative of Benefits received, was according to Reaſon, as proceeding from an Intention to honour him.

Seventhly, Reaſon directeth not only to worſhip God in ſecret; but alſo, and eſpecially in public, and in the Sight of Men: For without that, (that which in Honour is moſt acceptable) the procuring others to honour him, is loſt.

Laſtly, Obedience to his Laws (that is, in this Caſe to the Laws of Nature) is the greateſt Worſhip of all. For as Obedience is more acceptable to God than Sacrifice; ſo alſo to ſet light by his Commandments, is the greateſt of all Contumelies. And theſe are the Laws of that Divine Worſhip which natural Reaſon dictateth to private Men.

Public Worſhip conſiſteth in Uniformity.

But ſeeing a Commonwealth is but one Perſon, it ought alſo to exhibit to God but one Worſhip; which then it doth, when it commandeth it to be exhibited by private Men, publicly. And this is public Worſhip; the Property whereof, is to be *uniform*: For thoſe Actions that are done differently by different Men, cannot be ſaid to be a public Worſhip. And therefore, where many Sorts of Worſhip be allowed, proceeding from the different Religions of private Men, it cannot be ſaid there is any public Worſhip, nor that the Commonwealth is of any Religion at all.

All Attributes depend on the Laws Civil.

And becauſe Words (and conſequently the Attributes of God) have their Signification by Agreement, and Conſtitution of Men; thoſe Attributes are to be held ſignificative of Honour, that Men intend ſhall ſo be; and whatſoever may be done by the Wills of particular Men, where there is no Law but Reaſon, may be done by the Will of the Commonwealth, by Laws Civil. And becauſe a Commonwealth hath no Will, nor makes no Laws, but thoſe that are made by the Will of him, or them, that have the Sovereign Power; it followeth, that thoſe Attributes which the Sovereign ordaineth, in the Worſhip of God, for Signs of Honour, ought to be taken and uſed for ſuch, by private Men in their public Worſhip.

Not all Actions.

But becauſe not all Actions are Signs by Conſtitution; but ſome are naturally Signs of Honour, others of Contumely, theſe latter (which are thoſe that Men are aſhamed to do in the Sight of them they reverence) cannot be made by human Power a Part of Divine Worſhip; nor the former (ſuch as are decent, modeſt, humble Behaviour) ever be ſeparated from it. But whereas there be an infinite Number of Actions and Geſtures of an indifferent Nature; ſuch of them as the Commonwealth ſhall ordain to be publicly and univerſally in Uſe, as Signs of Honour, and Part of God's Worſhip, are to be taken and uſed for ſuch by the Subjects. And that which is ſaid in the Scripture, *It is better to obey God than Men*, hath Place in the Kingdom of God by Pact, and not by Nature.

Natural Puniſhments.

Having thus briefly ſpoken of the natural Kingdom of God, and his natural Laws, I will add only to this Chapter a ſhort Declaration of his natural Puniſhments. There is no Action of Man in this Life, that is not the Beginning of ſo long a Chain of Conſequences, as no human Providence is high enough, to give a Man a Proſpect to the End. And in this Chain, there are linked together both pleaſing and unpleaſing Events; in ſuch manner, as he that will do any thing for his Pleaſure, muſt engage himſelf to ſuffer all the Pains annexed to it; and theſe Pains, are the natural Puniſhments of thoſe Actions, which are the Beginning of more Harm than Good. And hereby it comes to paſs, that Intemperance is naturally puniſhed with Diſeaſes; Raſhneſs, with Miſchances; Injuſtice, with the Violence of Enemies; Pride, with Ruin; Cowardice, with Oppreſſion; negligent Government of Princes, with Rebellion; and Rebellion, with Slaughter. For ſeeing Puniſhments are conſequent to the Breach of Laws, natural Puniſhments muſt be naturally conſequent to the Breach of the Laws of Nature; and therefore follow them as their natural, not arbitrary Effects.

The Concluſion of the Second Part.

And thus far concerning the Conſtitution, Nature, and Right of Sovereigns; and concerning the Duty of Subjects, derived from the Principles of natural Reaſon. And now, conſidering how different this Doctrine is, from the Practice of the greateſt part of the World, eſpecially of theſe Weſtern parts, that have received their Moral Learning from *Rome* and *Athens*; and how much Depth of Moral Philoſophy is required, in them that have the Adminiſtration of the Sovereign Power; I am at the Point of believing this my Labour, as uſeleſs, as the Commonwealth of *Plato*; for he alſo is of Opinion, that it is impoſſible for the Diſorders of State, and Change of Government by Civil War, ever to be taken away, till Sovereigns be Philoſophers. But when I conſider again, that the Science of natural Juſtice, is the only Science neceſſary for Sovereigns, and their principal Miniſters; and that they need not be charged with the Sciences Mathematical (as by *Plato* they are) further, than by good Laws to encourage Men to the Study of them; and that neither *Plato*, nor any other Philoſopher hitherto, hath put into Order, and ſufficiently, or probably proved all the Theorems of Moral Doctrine, that Men may learn thereby, both how to govern, and how to obey; I recover ſome Hope, that one time or other, this Writing of mine may fall into the Hands of a Sovereign, who will conſider it himſelf (for it is ſhort, and I think clear) without the Help of any intereſted, or envious Interpreter; and by the Exerciſe of entire Sovereignty, in protecting the public teaching of it, convert this Truth of Speculation, into the Utility of Practice.

OF A

Chriſtian Commonwealth.

PART III.

CHAP. XXXII.

Of the Principles of CHRISTIAN POLITICS.

The Word of God delivered by Prophets, is the main Principle of Chriſtian Politics.

I Have derived the Rights of Sovereign Power, and the Duty of Subjects, hitherto, from the Principles of Nature only; ſuch as Experience has found true, or Conſent (concerning the Uſe of Words) has made ſo; that is to ſay, from the Nature of Men, known to us by Experience, and from Definitions (of ſuch Words as are eſſential to all political Reaſoning) univerſally agreed on. But in that I am next to handle, which is the Nature and Rights of a *Chriſtian Commonwealth*, whereof there dependeth much upon ſupernatural Revelations of the Will of God; the Ground of my Diſcourſe muſt be, not only the natural Word of God, but alſo the prophetical.

Yet is not natural Reaſon to be renounced.

Neverthele ſs, we are not to renounce our Senſes, and Experience; nor (that which is the undoubted Word of God) our natural Reaſon. For they are the Talents which he hath put into our Hands to negotiate, till the coming again of our bleſſed Saviour; and therefore not to be folded up in the Napkin of implicit Faith, but employed in the Purchaſe of Juſtice, Peace, and true Religion. For though there be many Things in God's Word above Reaſon; that is to ſay, which cannot by natural Reaſon be either demonſtrated, or confuted; yet there is nothing contrary to it; but when it ſeemeth ſo, the Fault is either in our unſkilful Interpretation, or erroneous Ratiocination.

Therefore when any thing therein written is too hard for our Examination, we are bidden to captivate our Underſtanding to the Words; and not to labour in ſifting out a philoſophical Truth by Logic, of ſuch Myſteries as are not comprehenſible, nor fall under any Rule of natural Science. For it is with the Myſteries of our Religion, as with wholeſome Pills for the Sick, which ſwallowed whole, have the Virtue to cure; but chewed, are for the moſt part caſt up again without Effect.

What it is to captivate the Underſtanding.

But by the Captivity of our Underſtanding, is not meant a Submiſſion of the intellectual Faculty, to the Opinion of any other Man; but of the Will to Obedience, where Obedience is due. For Senſe, Memory, Underſtanding, Reaſon, and Opinion, are not in our Power to change; but always, and neceſſarily ſuch, as the Things we ſee, hear, conſider, and ſuggeſt unto us; and therefore are not Effects of our Will, but our Will of them. We then captivate our Underſtanding and Reaſon, when we forbear Contradiction; when we ſo ſpeak, as (by lawful Authority) we are commanded, and when we live accordingly; which in ſum, is Truſt and Faith repoſed in him that ſpeaketh, though the Mind be incapable of any Notion at all from the Words ſpoken.

How God ſpeaketh to Men.

When God ſpeaketh to Man, it muſt be either immediately, or by Mediation of another Man, to whom he had formerly ſpoken by himſelf immediately. How God ſpeaketh to a Man immediately, may be underſtood by thoſe well enough, to whom he hath ſo ſpoken; but how the ſame ſhould be underſtood by another, is hard, if not impoſſible to know. For if a Man pretend to me, that God hath ſpoken to him ſupernaturally and immediately, and I make doubt of it, I cannot eaſily perceive what Argument he can produce, to oblige me to believe it. It is true, that if he be my Sovereign, he may oblige me to Obedience, ſo, as not by Act or Word to declare I believe him not; but not to think any otherwiſe than my Reaſon perſuades me. But if one that hath not ſuch Authority over me, ſhall pretend the ſame, there is nothing that exacteth either Belief or Obedience.

For to ſay that God hath ſpoken to him in the holy Scripture, is not to ſay God hath ſpoken to him immediately, but by Mediation of the Prophets, or of the Apoſtles, or of the Church, in ſuch manner as he ſpeaks to all other Chriſtian Men. To ſay he hath ſpoken to him in a Dream, is no more than to ſay he dreamed that God ſpake to him; which is not of Force to win Belief from any Man, that knows Dreams are for the moſt part natural, and may proceed from former Thoughts; and ſuch Dreams as that, from Self-conceit, and fooliſh Arrogance, and falſe Opinion of a Man's own Godlineſs, or other Virtue, by which he thinks he hath merited the Favour of extraordinary Revelation. To ſay he hath ſeen a Viſion, or heard a Voice, is to ſay, that he hath dreamed between ſleeping and waking: for in ſuch manner a Man doth many times naturally take his Dream for a Viſion, as not having well obſerved his own ſlumbering. To ſay he ſpeaks by ſupernatural Inſpiration, is to ſay he finds an ardent Deſire to ſpeak, or ſome ſtrong Opinion of himſelf, for which he can alledge no natural and ſufficient Reaſon. So that though God Almighty can ſpeak to a Man by Dreams, Viſions, Voice, and Inſpiration; yet he obliges no Man to believe he hath ſo done to him that pretends it; who, being a Man, may err; and, which is more, may lie.

By what Marks Prophets are known.

How then can he, to whom God hath never revealed his Will immediately, ſaving by the way of natural Reaſon, know when he is to obey, or not to obey his Word, delivered by him that ſays he is a Prophet? Of four hundred Prophets, of whom the King of *Iſrael* aſked Counſel, concerning the War he made againſt *Ramoth-Gilead*, only *Micaiah* was a true one. (1 Kings xxii.) The Prophet that was ſent to propheſy againſt the Altar ſet up by *Jeroboam*, though a true Prophet, and that by two Miracles done in his Preſence appears to be a Prophet ſent from God, was yet deceived by another old Prophet, that perſuaded him as from the Mouth of God, to eat and drink with him. (1 Kings xiii.) If one Prophet deceive another, what Certainty is there of knowing the Will of God, by other Way than that of Reaſon? To which I anſwer out of the holy Scripture, that there be two Marks, by which together, not aſunder, a true Prophet is to be known. One is the doing of Miracles, the other is the not teaching any other Religion than that which is already eſtabliſhed. Aſunder, I ſay, neither of theſe is ſufficient. (Deut. xiii. 1, 2, 3, 4, 5.) *If a Prophet riſe amongſt you, or a Dreamer of Dreams, and ſhall pretend the doing of a Miracle, and the Miracle come to paſs; if he ſay, Let us follow ſtrange Gods, which thou haſt not known, thou ſhalt not hearken to him*, &c. *But that Prophet and Dreamer of Dreams ſhall be put to Death, becauſe he* *hath ſpoken to you to revolt from the Lord your God.* In which Words two Things are to be obſerved: Firſt, That God will not have Miracles alone ſerve for Arguments, to approve the Prophet's Calling; but (as it is in the third Verſe) for an Experiment of the Conſtancy of our Adherence to himſelf: for the Works of the *Egyptian* Sorcerers, though not ſo great as thoſe of *Moſes*, yet were great Miracles. Secondly, That how great ſoever the Miracle be, yet if it tend to ſtir up Revolt againſt the King, or him that governeth by the King's Authority, he that doth ſuch Miracle, is not to be conſidered otherwiſe than as ſent to make Trial of their Allegiance. For theſe Words, *revolt from the Lord your God*, are in this Place equivalent to *revolt from your King*. For they had made God their King by Pact at the Foot of Mount *Sinai*; who ruled them by *Moſes* only; for he only ſpake with God, and from Time to Time declared God's Commandments to the People. In like manner, after our Saviour *Chriſt* had made his Diſciples acknowledge him for the *Meſſiah*, (that is to ſay, for God's Anointed, whom the Nation of the *Jews* daily expected for their King, but refuſed when he came) he omitted not to advertiſe them of the Danger of Miracles. *There ſhall ariſe*, ſaith he, *falſe Chriſts and falſe Prophets, and ſhall do great Wonders and Miracles, even to the ſeducing (if it were poſſible) of the very Elect.* By which it appears, that falſe Prophets may have the Power of Miracles; yet are we not to take their Doctrine for God's Word. St. *Paul* ſays further to the *Galatians*, that *if himſelf, or an Angel from Heaven, preach another Goſpel to them than he had preached, let him be accurſed.* That Goſpel was, that *Chriſt* was King; ſo that all Preaching againſt the Power of the King received, in Conſequence to theſe Words, is by St. *Paul* accurſed. For his Speech is addreſſed to thoſe, who by his Preaching had already received *Jeſus* for the *Chriſt*, that is to ſay, for King of the *Jews*.

Matth. xxiv. 24.

Gal. i. 8.

The Marks of a Prophet in the old Law, Miracles, and Doctrine conformable to the Law.

And as Miracles, without preaching that Doctrine which God hath eſtabliſhed; ſo preaching the true Doctrine without the doing of Miracles, is an inſufficient Argument of immediate Revelation. For if a Man that teacheth not falſe Doctrine, ſhould pretend to be a Prophet without ſhewing any Miracle, he is never the more to be regarded for his Pretence, as is evident by *Deut.* xviii. 21, 22. *If thou ſay in thy Heart, How ſhall we know that the Word* (of the Prophet) *is not that which the Lord hath ſpoken. When the Prophet ſhall have ſpoken in the Name of the Lord, that which ſhall not come to paſs, that is the Word which the Lord hath not ſpoken, but the Prophet has ſpoken it out of the Pride of his own Heart; fear him not.* But a Man may here again aſk, When the Prophet hath foretold a Thing, how ſhall we know whether it will come to paſs or not? For he may foretell it as a Thing to arrive after a certain long Time, longer than the Time of Man's Life; or indefinitely, that it will come to paſs one Time or other: in which Caſe this Mark of a Prophet is unuſeful; and therefore the Miracles that oblige us to believe a Prophet, ought to be confirmed by an immediate, or a not long deferred Event. So that it is manifeſt, that the teaching of the Religion which God hath eſtabliſhed, and the ſhewing of a preſent Miracle, joined together, were the only Marks whereby the Scripture would have a true Prophet, that is to ſay, immediate Revelation, to be acknowledged; neither of them being ſingly ſufficient to oblige any other Man to regard what he ſaith.

Miracles ceaſing, Prophets ceaſe, and the Scripture ſupplies their Place.

Seeing therefore Miracles now ceaſe, we have no Sign left, whereby to acknowledge the pretended Revelations, or Inſpirations of any private Man; nor Obligation to give ear to any Doctrine, farther than it is conformable to the holy Scriptures, which ſince the Time of our Saviour,

viour, ſupply the Place, and ſufficiently recompenſe the Want of all other Prophecy; and from which, by wiſe and learned Interpretation, and careful Ratiocination, all Rules and Precepts neceſſary to the Knowledge of our Duty both to God and Man, without Enthuſiaſm, or ſupernatural Inſpiration, may eaſily be deduced. And this Scripture is it, out of which I am to take the Principles of my Diſcourſe, concerning the Rights of thoſe that are the ſupreme Governors on Earth, of Chriſtian Commonwealths; and of the Duty of Chriſtian Subjects towards their Sovereigns. And to that end, I ſhall ſpeak in the next Chapter of the Books, Writers, Scope and Authority of the Bible.

CHAP. XXXIII.

Of the Number, Antiquity, Scope, Authority, and Interpreters of the Books of Holy SCRIPTURE.

Of the Books of Holy Scripture.

BY the Books of Holy *Scripture*, are underſtood thoſe, which ought to be the *Canon*, that is to ſay, the Rules of Chriſtian Life. And becauſe all Rules of Life, which Men are in Conſcience bound to obſerve, are Laws; the Queſtion of the Scripture, is the Queſtion of what is Law throughout all Chriſtendom, both Natural and Civil. For tho' it be not determined in Scripture, what Laws every Chriſtian King ſhall conſtitute in his own Dominions; yet it is determined what Laws he ſhall not conſtitute. Seeing therefore I have already proved, that Sovereigns in their own Dominions are the ſole Legiſlators; thoſe Books only are Canonical, that is, Law, in every Nation, which are eſtabliſhed for ſuch by the Sovereign Authority. It is true, that God is the Sovereign of all Sovereigns; and therefore, when he ſpeaks to any Subject, he ought to be obeyed, whatſoever any earthly Potentate command to the contrary. But the Queſtion is not of Obedience to God, but of *when* and *what* God hath ſaid; which to Subjects that have no ſupernatural Revelation, cannot be known but by natural Reaſon which guided them, for the obtaining of Peace and Juſtice, to obey the Authority of their ſeveral Commonwealths; that is to ſay, of their lawful Sovereigns. According to this Obligation, I can acknowledge no other Books of the Old Teſtament, to be Holy Scripture, but thoſe which have been commanded to be acknowledged for ſuch by the Authority of the Church of *England*. What Books theſe are, is ſufficiently known, without a Catalogue of them here; and they are the ſame that are acknowledged by St. *Jerom*, who holdeth the reſt, namely, the *Wiſdom of Solomon*, *Eccleſiaſticus*, *Judith*, *Tobias*, the firſt and the ſecond of *Maccabees*, (though he had ſeen the firſt in *Hebrew)* and the third and fourth of *Eſdras*, for *Apocrypha*. Of the Canonical, *Joſephus* a learned *Jew*, that wrote in the Time of the Emperor *Domitian*, reckoneth *twenty-two*, making the Number agree with the *Hebrew* Alphabet. St. *Jerom* does the ſame, though they reckon them in different Manner. For *Joſephus* numbers *five* Books of *Moſes*, *thirteen* of *Prophets*, that writ the Hiſtory of their own Times (which how it agrees with the Prophets Writings contained in the Bible we ſhall ſee hereafter) and *four* of *Hymns* and moral Precepts. But St. *Jerom* reckons *five* Books of *Moſes*, *eight* of *Prophets*, and *nine* of other Holy Writ, which he calls of *Hagiographa*. The *Septuagint*, who were *ſeventy* learned Men of the *Jews*, ſent for by *Ptolemy* King of *Egypt*, to tranſlate the *Jewiſh* Law, out of the *Hebrew* into the *Greek*, have left us no other for Holy Scripture in the *Greek* Tongue, but the ſame that are received in the Church of *England*.

As for the Books of the New Teſtament, they are equally acknowledged for Canon by all Chriſtian Churches, and by all Sects of Chriſtians, that admit any Books at all for Canonical.

Their Antiquity.

Who were the original Writers of the ſeveral Books of Holy Scripture, has not been made evident by any ſufficient Teſtimony of other Hiſtory, (which is the only Proof of Matter of Fact;) nor can be by any Arguments of natural Reaſon: for Reaſon ſerves only to convince the Truth (not of Fact, but) of Conſequence. The Light therefore that muſt guide us in this Queſtion, muſt be that which is held out unto us from the Books themſelves: And this Light, though it ſhew us not the Writer of every Book, yet it is not unuſeful to give us Knowledge of the Time wherein they were written.

The Pentateuch not written by Moſes.

And firſt, for the *Pentateuch*, it is not Argument enough that they were written by *Moſes*, becauſe they are called the five Books of *Moſes*; no more than theſe Titles, the Book of *Joſhua*, the Book of *Judges*, the Book of *Ruth*, and the Books of the *Kings*, are Arguments ſufficient to prove, that they were written by *Joſhua*, by the *Judges*, by *Ruth*, and by the *Kings*. For in Titles of Books, the Subject is marked, as often as the Writer. The *Hiſtory of Livy*, denotes the Writer; but the *Hiſtory of Scanderbeg*, is denominated from the Subject. We read in the laſt Chapter of *Deuteronomy*, ver. 6. concerning the Sepulchre of *Moſes*, *that no Man knoweth of his Sepulchre to this Day*, that is, to the Day wherein thoſe Words were written. It is therefore manifeſt, that thoſe Words were written after his Interment. For it were a ſtrange Interpretation to ſay, *Moſes* ſpoke of his own Sepulchre, though by Prophecy, that it was not found to that Day, wherein he was yet living. But it may perhaps be alledged, that the laſt Chapter only, not the whole *Pentateuch*, was written by ſome other Man, but the reſt not: Let us therefore conſider that which we find in the Book of *Geneſis*, Chap. xii. 6. *And* Abraham *paſſed through the Land to the Place of* Sichem, *unto the Plain of* Moreh, *and the* Canaanite *was then in the Land*; which muſt needs be the Words of one that wrote when the *Canaanite* was not in the Land; and conſequently, not of *Moſes*, who died before he came into it. Likewiſe *Numbers* xxi. 14. the Writer citeth another more ancient Book, entitled, *The Book of the Wars of the Lord*, wherein were regiſtered the Acts of *Moſes*, at the *Red-ſea*, and at the Brook of *Arnon*. It is therefore ſufficiently evident, that the five Books of *Moſes* were written after his Time, though how long after it be not ſo manifeſt.

Deut. xxxi. 9.

But though *Moſes* did not compile thoſe Books entirely, and in the Form we have them; yet he wrote all that which he is there ſaid to have written: as for Example, the Volume of the Law which is contained, as it ſeemeth, in the XIth of *Deuteronomy*, and the following Chapters to the XXVIIth, which was alſo commanded to be written on Stones, in their Entry into the Land of *Canaan*. And this did *Moſes* himſelf write, and deliver to the Prieſts and Elders of *Iſrael*, to be read every ſeventh Year to all *Iſrael*, at their aſſembling in the Feaſt of Tabernacles. And this is that Law which God commanded, that their Kings (when they ſhould have eſtabliſhed that Form of Government) ſhould take a Copy of from the Prieſts and Levites; and which *Moſes* commanded the Prieſts and Levites to lay in the Side of the Ark; and the ſame which having been loſt, was long after found again by *Hilkiah*, and ſent to King *Joſiah*, who cauſing it to be read to the People, renewed the Covenant between God and them.

Deut. xxxi. 26.
2 Kings xxii. 8. and xxiii. 1, 2, 3.

That

The Book of Joſhua written after his Time.
* Joſh. iv. 9.
Joſh. v. 9.
Joſh. vii. 26.

That the Book of *Joſhua* was alſo written long after the Time of *Joſhua*, may be gathered out of many Places of the Book itſelf. *Joſhua* had ſet up twelve Stones in the Midſt of *Jordan*, for a Monument of their Paſſage; of which this Writer ſaith thus, * *They are there unto this Day*; for *unto this Day*, is a Phraſe that ſignifieth a Time paſt, beyond the Memory of Man. In like manner, upon the Saying of the Lord, that he had rolled off from the People the Reproach of *Egypt*, the Writer ſaith, *The Place is called* Gilgal *unto this Day*; which to have ſaid in the Time of *Joſhua*, had been improper. So alſo the Name of the Valley of *Achor*, from the Trouble that *Achan* raiſed in the Camp, the Writer ſaith, *remaineth unto this Day*; which muſt need be therefore long after the Time of *Joſhua*. Arguments of this Kind there be many other; as *Joſh.* viii. 29. xiii. 13. xiv. 14. xv. 63.

The Books of Judges and Ruth written long after the Captivity.

The ſame is manifeſt by like Arguments of the Book of *Judges*, Chap. i. 21, 26. vi. 24. x. 4. xv. 19. xvii. 6. and *Ruth* i. 1. but eſpecially *Judg.* xviii. 30. where it is ſaid, that Jonathan *and his Sons were Prieſts to the Tribe of* Dan, *until the Day of the Captivity of the Land.*

The like of the Books of Samuel.
2 Sam. vi. 8.

That the Books of *Samuel* were alſo written after his own Time, there are the like Arguments, 1 *Sam.* v. 5. vii. 13, 15. xxvii. 6. and xxx. 25. where, after *David* had adjudged equal Part of the Spoils, to them that guarded the Ammunition, with them that fought, the Writer ſaith, *He made it a Statute and an Ordinance to* Iſrael *to this Day.* Again, when *David* (diſpleaſed, that the Lord had ſlain *Uzzah*, for putting out his Hand to ſuſtain the Ark) called the Place *Perez-Uzzah*, the Writer ſaith, it is called ſo *to this Day*: the Time therefore of the Writing of that Book, muſt be long after the Time of the Fact, that is, long after the Time of *David*.

The Books of the Kings, and the Chronicles.

As for the two Books of the *Kings*, and the two Books of the *Chronicles*, beſides the Places which mention ſuch Monuments, as the Writer ſaith, remained till his own Days; ſuch as are 1 *Kings* ix. 13. ix. 21. x. 12. xii. 19. 2 *Kings* ii. 22. viii. 22. x. 27. xiv. 7. xvi. 6. xvii. 23. xvii. 34. xvii. 41. 1 *Chron.* iv. 41. v. 26. It is Argument ſufficient they were written after the Captivity in *Babylon*, that the Hiſtory of them is continued till that Time. For the Facts regiſtered are always more ancient than the Regiſter; and much more ancient than ſuch Books as make mention of, and quote the Regiſter; as theſe Books do in divers Places, referring the Reader to the Chronicles of the Kings of *Judah*, to the Chronicles of the Kings of *Iſrael*, to the Books of the Prophet *Samuel*, of the Prophet *Nathan*, of the Prophet *Ahijah*; to the Viſion of *Jehdo*, to the Books of the Prophet *Serveiah*, and of the Prophet *Addo*.

Ezra and Nehemiah.

The Books of *Ezra* and *Nehemiah* were written certainly after their Return from Captivity; becauſe their Return, the Re-edification of the Walls and Houſes of *Jeruſalem*, the Renovation of the Covenant, and Ordination of their Policy, are therein contained.

Eſther.

The Hiſtory of Queen *Eſther*, is of the Time of the Captivity; and therefore the Writer muſt have been of the ſame Time, or after it.

Job.

The Book of *Job* hath no Mark in it of the Time wherein it was written: and though it appear ſufficiently (*Ezekiel* xiv. 14. and *James* v. 11.) that he was no feigned Perſon; yet the Book itſelf ſeemeth not to be a Hiſtory, but a Treatiſe concerning a Queſtion in ancient time much diſputed, *why wicked Men have often proſpered in this World, and good Men have been afflicted*; and it is the more probable, becauſe from the Beginning, to the third Verſe of the third Chapter, where the Complaint of *Job* beginneth, the *Hebrew* is, as St. *Jerom* teſtifies, in Proſe; and from thence to the ſixth Verſe of the laſt Chapter, in Hexameter Verſes; and the reſt of that Chapter again in Proſe. So that the

Diſpute is all in Verſe; and the Proſe is added, but as a Preface in the Beginning, and an Epilogue in the End. But Verſe is no uſual Stile of ſuch, as either are themſelves in great Pain, as *Job*; or of ſuch as come to comfort them, as his Friends; but in Philoſophy, eſpecially Moral Philoſophy, in ancient time frequent.

The Pſalter.

The *Pſalms* were written the moſt part by *David*, for the Uſe of the Choir. To theſe are added ſome Songs of *Moſes*, and other holy Men; and ſome of them after the return from the Captivity, as the cxxxvii. and cxxvi. whereby it is manifeſt that the Pſalter was compiled, and put into the Form it now hath, after the Return of the *Jews* from *Babylon*.

The Proverbs.

The *Proverbs*, being a Collection of wiſe and godly Sayings, partly of *Solomon*, partly of *Agur* the Son of *Jakeh*, and partly of the Mother of King *Lemuel*, cannot probably be thought to have been collected by *Solomon*, rather than by *Agur*, or the Mother of *Lemuel*; and that, though the Sentences be theirs, yet the Collection or compiling them into this one Book, was the Work of ſome other godly Man, that lived after them all.

Eccleſiaſtes and the Canticles.

The Books of *Eccleſiaſtes* and the *Canticles* have nothing that was not *Solomon*'s, except it be the Titles, or Inſcriptions. For, *The Words of the Preacher, the Son of* David, *King in* Jeruſalem; and, *The Song of Songs, which is* Solomon's, ſeem to have been made for Diſtinction Sake, then, when the Books of Scripture were gathered into one Body of the Law; to the end, that not the Doctrine only, but the Authors alſo might be extant.

The Prophets.

Of the Prophets, the moſt ancient, are *Zephaniah*, *Jonah*, *Amos*, *Hoſea*, *Iſaiah* and *Micah*, who lived in the Time of *Amaziah*, and *Azariah*, otherwiſe *Ozias*, Kings of *Judah*. But the Book of *Jonah* is not properly a Regiſter of his Prophecy, (for that is contained in theſe few Words, *Forty Days and* Nineveh *ſhall be deſtroyed)* but a Hiſtory or Narration of his Frowardneſs and diſputing God's Commandments; ſo that there is ſmall Probability he ſhould be the Author, ſeeing he is the Subject of it. But the Book of *Amos* is his Prophecy.

Jeremiah, *Obadiah*, *Nahum*, and *Habakkuk* propheſied in the Time of *Joſiah*.

Ezekiel, *Daniel*, *Haggai*, and *Zechariah*, in the Captivity.

When *Joel* and *Malachi* propheſied, is not evident by their Writings. But conſidering the Inſcriptions, or Titles of their Books, it is manifeſt enough, that the whole Scripture of the Old Teſtament, was ſet forth in the Form we have it, after the Return of the *Jews* from their Captivity in *Babylon*, and before the Time of *Ptolemæus Philadelphus*, that cauſed it to be tranſlated into *Greek* by ſeventy Men, which were ſent him out of *Judea* for that Purpoſe. And if the Books of *Apocrypha* (which are recommended to us by the Church, though not for Canonical, yet for profitable Books for our Inſtruction) may in this Point be credited, the Scripture was ſet forth in the Form we have it in, by *Eſdras*; as may appear by that which he himſelf ſaith, in the ſecond Book, Chap. xiv. 21, 22, &c. where ſpeaking to God, he ſaith thus, *Thy Law is burnt; therefore no Man knoweth the Things which thou haſt done, or the Works that are to begin. But if I have found Grace before thee, ſend down the holy Spirit into me, and I ſhall write all that hath been done in the World, ſince the Beginning, which were written in thy Law, that Men may find thy Path, and that they which will live in the latter Days, may live.* And ver. 45. *And it came to paſs when the forty Days were fulfilled, that the Higheſt ſpake, ſaying, The firſt that thou haſt written, publiſh openly, that the worthy and unworthy may read it; but keep the ſeventy laſt, that thou mayſt deliver them only to ſuch as be wiſe among the People.* And thus much concerning the Time of the Writing of the Books of the Old Teſtament.

The New Teſtament.

The Writers of the New Teſtament lived all in leſs than an Age after Chriſt's Aſcenſion, and had all of them ſeen our Saviour, or been his Diſciples, except St. *Paul*, and St. *Luke*; and conſequently whatſoever was written by them, is as ancient as the Time of the Apoſtles. But the Time wherein the Books of the New Teſtament were received, and acknowledged by the Church to be of their Writing, is not altogether ſo ancient. For, as the Books of the Old Teſtament are derived to us, from no higher Time than that of *Eſdras*, who by the Direction of God's Spirit retrieved them, when they were loſt: Thoſe of the New Teſtament, of which the Copies were not many, nor could eaſily be all in any one private Man's Hand, cannot be derived from a higher Time, than that wherein the Governors of the Church collected, approved, and recommended them to us, as the Writings of thoſe Apoſtles and Diſciples under whoſe Names they go. The Enumeration of all the Books both of the Old and New Teſtament, is in the Canons of the Apoſtles, ſuppoſed to be collected by *Clement* the firſt (after St. *Peter*) Biſhop of *Rome*. But becauſe that is but ſuppoſed, and by many queſtioned, the Council of *Laodicea* is the firſt we know, that recommended the Bible to the then Chriſtian Churches, for the Writings of the Prophets and Apoſtles: and this Council was held in the 364th Year after Chriſt. At which Time, though Ambition had ſo far prevailed on the great Doctors of the Church, as no more to eſteem Emperors, though Chriſtian, for the Shepherds of the People, but for Sheep; and Emperors not Chriſtian, for Wolves; and endeavoured to paſs their Doctrine, not for Counſel and Information, as Preachers; but for Laws, as abſolute Governors; and thought ſuch Frauds as tended to make the People the more obedient to Chriſtian Doctrine, to be pious; yet I am perſuaded they did not therefore falſify the Scriptures, though the Copies of the Books of the New Teſtament, were in the Hands only of the Eccleſiaſtics; becauſe if they had had an Intention ſo to do, they would ſurely have made them more favourable to their Power over Chriſtian Princes, and Civil Sovereignty, than they are. I ſee not therefore any Reaſon to doubt, but the Old and New Teſtament, as we have them now, are the true Regiſters of thoſe Things which were done and ſaid by the Prophets and Apoſtles. And ſo perhaps are ſome of thoſe Books which are called *Apocrypha*, if left out of the Canon, not for Inconformity of Doctrine with the reſt, but only becauſe they are not found in the *Hebrew*. For after the Conqueſt of *Aſia* by *Alexander* the *Great*, there were few *Jews*, that were not perfect in the *Greek* Tongue. For the ſeventy Interpreters that converted the Bible into *Greek*, were all of them *Hebrews*; and we have extant the Works of *Philo* and *Joſephus*, both *Jews*, written by them eloquently in *Greek*. But it is not the Writer, but the Authority of the Church, that maketh a Book Canonical. And although theſe Books were written by divers Men, yet it is manifeſt the Writers were all indued with one and the ſame Spirit, in that they conſpire to one and the ſame End, which is the ſetting forth of the Rights of the Kingdom of *God*, the *Father*, *Son*, and *Holy Ghoſt*. For the Book of *Geneſis*, deriveth the Genealogy of God's People, from the Creation of the World, to the going into *Egypt*: the other four Books of *Moſes*, contain the Election of God for their King, and the Laws which he preſcribed for their Government: The Books of *Joſhua*, *Judges*, *Ruth*, and *Samuel*, to the Time of *Saul*, deſcribe the Acts of God's People, till the Time they caſt off God's Yoke, and called for a King, after the Manner of their Neighbour Nations: The reſt of the Hiſtory of the Old Teſtament,

Their Scope.

derives

derives the Succeſſion of the Line of *David* to the Captivity, out of which Line was to ſpring the Reſtorer of the Kingdom of God, even our Bleſſed Saviour *God the Son*, whoſe Coming was foretold in the Books of the Prophets, after whom the Evangeliſts writ his Life and Actions, and his Claim to the Kingdom, whilſt he lived on Earth: And laſtly, the Acts and Epiſtles of the Apoſtles, declare the Coming of God the *Holy Ghoſt*, and the Authority he left with them and their Succeſſors, for the Direction of the *Jews*, and for the Invitation of the *Gentiles*. In ſum, the Hiſtories and the Prophecies of the Old Teſtament, and the Goſpels and Epiſtles of the New Teſtament, have had one and the ſame Scope, to convert Men to the Obedience of God: 1. In *Moſes* and the Prieſts: 2. In the Man *Chriſt*: And, 3. In the *Apoſtles*, and the Succeſſors to apoſtolical Power. For theſe three at ſeveral Times did repreſent the Perſon of God: *Moſes*, and his Succeſſors the High Prieſts, and Kings of *Judah*, in the Old Teſtament: *Chriſt* himſelf, in the Time he lived on Earth: and the *Apoſtles*, and their Succeſſors, from the Day of Pentecoſt (when the *Holy Ghoſt* deſcended on them) to this Day.

The Queſtion of the Authority of the Scriptures ſtated.

It is a Queſtion much diſputed between the divers Sects of Chriſtian Religion, *From whence the Scriptures derive their Authority?* Which Queſtion is alſo propounded in other Terms, as *How we know them to be the Word of God*; or, *why we believe them to be ſo?* And the Difficulty of reſolving it, ariſeth chiefly from the Impropriety of the Words wherein the Queſtion itſelf is couched. For it is believed on all hands, that the firſt and original *Author* of them is God; and conſequently the Queſtion diſputed, is not that. Again, it is manifeſt, that none can know they are God's Word, though all true Chriſtians believe it, but thoſe to whom God himſelf hath revealed it ſupernaturally; and therefore the Queſtion is not rightly moved, of our *Knowledge* of it. Laſtly, when the Queſtion is propounded of our *Belief*; becauſe ſome are moved to believe for one, and others for other Reaſons, there can be rendered no one general Anſwer for them all. The Queſtion truly ſtated is, *By what Authority they are made Law?*

Their Authority and Interpretation.

As far as they differ not from the Laws of Nature, there is no doubt but they are the Law of God, and carry their Authority with them, legible to all Men that have the Uſe of natural Reaſon: but this is no other Authority, than that of all other moral Doctrine conſonant to Reaſon, the Dictates whereof are Laws, not *made*, but *eternal*.

If they be made Law by God himſelf, they are of the Nature of written Law, which are Laws to them only to whom God hath ſo ſufficiently publiſhed them, as no Man can excuſe himſelf, by ſaying, he knew not they were his.

He therefore, to whom God hath not ſupernaturally revealed that they are his, nor that thoſe that publiſhed them were ſent by him, is not obliged to obey them by any Authority, but his, whoſe Commands have already the Force of Laws; that is to ſay, by any other Authority than that of the Commonwealth reſiding in the Sovereign, who only has the Legiſlative Power. Again, if it be not the Legiſlative Authority of the Commonwealth, that giveth them the Force of Laws, it muſt be ſome other Authority derived from God, either private or public: if private, it obliges only him to whom in particular God hath been pleaſed to reveal it. For if every Man ſhould be obliged to take for God's Law, what particular Men, on Pretence of private Inſpiration or Revelation, ſhould obtrude upon him, (in ſuch a Number of Men, that out of Pride and Ignorance, take their own Dreams, and extravagant Fancies, and Madneſs, for Teſtimonies of God's Spirit; or out of Ambition, pretend to ſuch Divine Teſtimonies falſely, and contrary to their own Conſciences) it were impoſſible that any Divine Law ſhould be acknowledged. If public, it is the Authority of the *Commonwealth*, or of the *Church*. But the Church, if it be one Perſon, is the ſame thing with a Commonwealth of Chriſtians; called a *Commonwealth*, becauſe it conſiſteth of Men united in one Perſon, their Sovereign; and a *Church*, becauſe it conſiſteth in Chriſtian Men, united in one Chriſtian Sovereign. But if the Church be not one Perſon, then it hath no Authority at all; it can neither command, nor do any Action at all; nor is capable of having any Power, or Right to any thing; nor has any Will, Reaſon, nor Voice; for all theſe Qualities are perſonal. Now if the whole Number of Chriſtians be not contained in one Commonwealth, they are not one Perſon; nor is there an univerſal Church that hath any Authority over them; and therefore the Scriptures are not made Laws by the univerſal Church: or if it be one Commonwealth, then all Chriſtian Monarchs and States are private Perſons, and ſubject to be judged, depoſed, and puniſhed by an univerſal Sovereign of all *Chriſtendom*. So that the Queſtion of the Authority of the Scriptures is reduced to this, *Whether Chriſtian Kings, and the Sovereign Aſſemblies in Chriſtian Commonwealths, be abſolute in their own Territories, immediately under God; or ſubject to one Vicar of Chriſt, conſtituted over the univerſal Church; to be judged, condemned, depoſed, and put to Death, as he ſhall think expedient, or neceſſary for the common Good.*

Which Queſtion cannot be reſolved, without a more particular Conſideration of the Kingdom of God; from whence alſo, we are to judge of the Authority of interpreting the Scripture. For, whoſoever hath a lawful Power over any Writing, to make it Law, hath the Power alſo to approve, or diſapprove the Interpretation of the ſame.

CHAP. XXXIV.

Of the Signification of SPIRIT, ANGEL, *and* INSPIRATION, *in the Books of holy Scripture.*

Body and Spirit, how taken in the Scripture.

SEeing the Foundation of all true Ratiocination is the conſtant Signification of Words; which, in the Doctrine following, dependeth not, as in natural Science, on vulgar Uſe, but on the Senſe they carry in the Scripture; it is neceſſary, before I proceed any farther, to determine out of the Bible, the Meaning of ſuch Words, as by their Ambiguity, may render what I am to infer upon them, obſcure or diſputable. I will begin with the Words *Body* and *Spirit*, which in the Language of the Schools are termed *Subſtances, corporeal* and *incorporeal*.

The Word *Body*, in the moſt general Acceptation, ſignifieth that which filleth or occupieth ſome certain Room, or imagined Place; and dependeth not on the Imagination, but is a real Part of that we call the *Univerſe*. For the *Univerſe* being the Aggregate of all Bodies, there is no real Part thereof that is not alſo *Body*; nor any thing properly a *Body*, that is not alſo Part of that Aggregate of all *Bodies*, the *Univerſe*. The ſame alſo, becauſe Bodies are ſubject to Change, that is to ſay, to Variety of Appearance to the Senſe of living Creatures, is called *Subſtance*, that is to ſay, *ſubject* to various Accidents; as ſometimes to be moved, ſometimes to ſtand ſtill; and to ſeem to our Senſes ſometimes hot, ſometimes cold, ſometimes of one Colour, Smell, Taſte, or Sound, ſometimes of another. And this Diverſity of ſeeming, (produced by the Diverſity of the Operation of Bodies on the Organs of our Senſe) we attribute to Alterations of the Bodies that operate, and call them *Accidents* of thoſe Bodies. And according to this Acceptation of the Word, *Subſtance* and *Body* ſignify the ſame Thing; and therefore *Subſtance incorporeal* are Words, which when they are joined together, deſtroy one another, as if a Man ſhould ſay, an *incorporeal Body*.

But in the Senſe of common People, not all the Univerſe is called Body, but only ſuch Parts thereof as they can diſcern by the Senſe of Feeling, to reſiſt their Force, or by the Senſe of their Eyes, to hinder them from a farther Proſpect. Therefore in the common Language of Men, *Air*, and *aerial Subſtances*, uſe not to be taken for *Bodies*, but, as often as Men are ſenſible of the Effects, are called *Wind*, or *Breath*, or (becauſe the ſame are called in the *Latin*, *Spiritus*) *Spirits*; as when they call that aerial Subſtance, which in the Body of any living Creature, gives it Life and Motion, *vital* and *animal Spirits*. But for thoſe Idols of the Brain, which repreſent Bodies to us, where they are not, as in a Looking-glaſs, in a Dream, or to a diſtempered Brain waking, they are (as the Apoſtle ſaith generally of all Idols) nothing; nothing at all, I ſay, there where they ſeem to be; and in the Brain itſelf, nothing but Tumult, proceeding either from the Action of the Objects, or from the diſorderly Agitation of the Organs of our Senſe. And Men, that are otherwiſe employed, than to ſearch into their Cauſes, know not of themſelves, what to call them; and may therefore eaſily be perſuaded, by thoſe whoſe Knowledge they much reverence, ſome to call them *Bodies*, and think them made of Air compacted by a Power ſupernatural, becauſe the Sight judges them corporeal; and ſome to call them *Spirits*, becauſe the Senſe of Touch diſcerneth nothing in the Place where they appear, to reſiſt their Fingers: ſo that the common Signification of *Spirit* in common Speech, is either a ſubtile, fluid, and inviſible Body, or a Ghoſt, or other Idol Phantaſm of the Imagination. But for metaphorical Significations there be many: for ſometimes it is taken for Diſpoſition or Inclination of the Mind; as when for the Diſpoſition to controul the Sayings of other Men, we ſay, *a Spirit of Contradiction*; for *a Diſpoſition to Uncleanneſs, an unclean Spirit*; for *Perverſeneſs*, *a froward Spirit*; for *Sullenneſs*, *a dumb Spirit*; and for *Inclination to Godlineſs, and God's Service*, *the Spirit of God*: ſometimes for any eminent Ability, or extraordinary Paſſion, or Diſeaſe of the Mind, as when *great Wiſdom* is called the *Spirit of Wiſdom*; and *Madmen* are ſaid to be *poſſeſſed with a Spirit*.

Other Signification of *Spirit* I find no where any; and where none of theſe can ſatisfy the Senſe of that Word in Scripture, the Place falleth not under human Underſtanding; and our Faith therein conſiſteth not in our Opinion, but in our Submiſſion; as in all Places, where God is ſaid to be a *Spirit*; or where by the *Spirit of God*, is meant God himſelf. For the Nature of God is incomprehenſible; that is to ſay, we underſtand nothing of *what he is*, but only *that he is*; and therefore the Attributes we give him, are not to tell one another, *what he is*, nor to ſignify our Opinion of his Nature, but our Deſire to honour him with ſuch Names as we conceive moſt honourable amongſt ourſelves.

The Spirit of God taken in the Scripture ſometimes for a Wind, or Breath.

Gen. i. 2. *The Spirit of God moved upon the Face of the Waters.* Here if by the *Spirit of God* be meant God himſelf, then is *Motion* attributed to God, and conſequently *Place*, which are intelligible only of Bodies, and not of Subſtances incorporeal; and ſo the Place is above our Underſtanding, that can conceive nothing moved that changes not Place, or that has not Dimenſion; and whatſoever has Dimenſion, is Body. But the Meaning of theſe Words is beſt underſtood by the like Place, *Gen.*

viii. 1. Where when the Earth was covered with Waters, as in the Beginning, God intending to abate them, and again to diſcover the dry Land, uſeth the like Words, *I will bring my Spirit upon the Earth, and the Waters ſhall be diminiſhed:* in which Place by *Spirit* is underſtood a Wind, that is, an Air, or *Spirit moved,* which might be called, as in the former Place, the *Spirit of God,* becauſe it was God's Work.

Secondly, for extraordinary Gifts of the Underſtanding.

Gen. xli. 38. *Pharaoh* called the *Wiſdom* of *Joſeph,* the *Spirit of God.* For *Joſeph* having adviſed him to look out a wiſe and diſcreet Man, and to ſet him over the Land of *Egypt,* he ſaith thus, *Can we find ſuch a Man as this is, in whom is the Spirit of God?* And Exod. xxviii. 3. *Thou ſhalt ſpeak* (ſaith God) *to all that are wiſe-hearted, whom I have filled with the Spirit of Wiſdom, to make Aaron Garments, to conſecrate him.* Where extraordinary Underſtanding, though but in making Garments, as being the *Gift* of God, is called the *Spirit* of God. The ſame is found again, *Exod.* xxxi. 3, 4, 5, 6. and xxxv. 31. and *Iſaiah* xi. 2, 3. where the Prophet ſpeaking of the Meſſiah, ſaith, *The Spirit of the Lord ſhall abide upon him, the Spirit of Wiſdom and Underſtanding, the Spirit of Counſel, and Fortitude, and the Spirit of the Fear of the Lord:* where manifeſtly is meant, not ſo many Ghoſts, but ſo many eminent *graces* that God would give him.

Thirdly, for extraordinary Affections.

In the Book of *Judges,* an extraordinary Zeal and Courage in the Defence of God's People, is called the *Spirit* of God; as when it excited *Othniel, Gideon, Jephtha,* and *Samſon,* to deliver them from Servitude, *Judg.* iii. 10. vi. 34. xi. 29. xiii. 25. xiv. 6, 19. And of *Saul,* upon the News of the Inſolence of the *Ammonites* towards the Men of *Jabeſh-Gilead,* it is ſaid 1 *Sam.* xi. 6. that *The Spirit of God came upon Saul, and his Anger,* (or, as it is in the *Latin, his Fury) was kindled greatly.* Where it is not probable was meant a Ghoſt, but an extraordinary *Zeal* to puniſh the Cruelty of the *Ammonites.* In like manner by the *Spirit* of God, that came upon *Saul,* when he was amongſt the Prophets that praiſed God in Songs, and Muſic, 1 *Sam.* xix, 20. is to be underſtood, not a Ghoſt, but an unexpected and ſudden *Zeal* to join with them in their Devotion.

Fourthly, for the Gift of Prediction by Dreams and Viſions.

The falſe Prophet *Zedekiah,* ſaith to *Micaiah,* 1 *Kings* xxii. 24. *Which way went the Spirit of the Lord from me to ſpeak to thee?* Which cannot be underſtood of a Ghoſt; for *Micaiah* declared before the Kings of *Iſrael* and *Judah,* the Event of the Battle, as from a *Viſion,* and not as from a *Spirit,* ſpeaking in him.

In the ſame manner it appeareth, in the Books of the Prophets, that though they ſpake by the *Spirit* of God, that is to ſay, by a ſpecial Grace of Prediction; yet their Knowledge of the future, was not by a Ghoſt within them, but by ſome ſupernatural *Dream* or *Viſion.*

Fifthly, for Life.

Gen. ii. 7. It is ſaid, *God made Man of the Duſt of the Earth, and breathed into his Noſtrils* (ſpiraculum vitæ) *the Breath of Life, and Man was made a living Soul.* There the *Breath of Life* inſpired by God, ſignifies no more, but that God gave him Life. And *Job* xxvii. 3. *As long as the Spirit of God is in my Noſtrils;* is no more than to ſay, *as long as I live.* So in *Ezek.* i. 20. *The Spirit of Life was in the Wheels,* is equivalent to, *the Wheels were alive.* And *Ezek.* ii. 30. *the Spirit entered into me, and ſet me on my Feet,* that is, *I recovered my vital Strength;* not that any Ghoſt, or incorporeal Subſtance entered into, and poſſeſſed his Body.

Sixthly, for a Subordination to Authority.

In the xi. Chap. of *Numbers,* Verſe 17. *I will take* (ſaith God) *of the Spirit, which is upon thee, aud will put it upon them, and they ſhall bear the Burthen of the People with thee;* that is, upon the ſeventy Elders: whereupon two of the ſeventy are ſaid to propheſy in the Camp; of

PART III.

whom ſome complained, and *Joſhua* deſired *Moſes* to forbid them; which *Moſes* would not do. Whereby it appears, that *Joſhua* knew not they had received Authority ſo to do, and propheſied according to the Mind of *Moſes*, that is to ſay, by a *Spirit*, or *Authority* ſubordinate to his own.

In the like Senſe we read, *Deut*. xxxiv. 9. that *Joſhua was full of the Spirit of Wiſdom, becauſe Moſes had laid his Hands upon him:* that is, becauſe he was *ordained* by *Moſes*, to proſecute the Work he had himſelf begun, (namely, the bringing of God's People into the promiſed Land,) but prevented by Death, could not finiſh.

In the like Senſe it is ſaid, *Rom*. viii. 9. *If any Man have not the Spirit of Chriſt, he his none of his:* not meaning thereby the *Ghoſt* of Chriſt, but a *Submiſſion* to his Doctrine. As alſo, 1 *John* iv. 2. *Hereby you ſhall know the Spirit of God. Every Spirit that confeſſeth that Jeſus Chriſt is come in the Fleſh, is of God*; by which is meant the Spirit of unfeigned Chriſtianity, or *Submiſſion* to that main Article of Chriſtian Faith, that Jeſus is the Chriſt, which cannot be interpreted of a Ghoſt.

Likewiſe theſe Words, *Luke* iv. 1. *And Jeſus full of the Holy Ghoſt* (that is, as it is expreſs'd, *Mat*. iv. 1. and *Mark* i. 12. *of the Holy Spirit*,) may be underſtood, for *Zeal* to do the Work for which he was ſent by God the Father: but to interpret it of a Ghoſt, is to ſay, that God himſelf (for ſo our Saviour was,) was filled with God; which is very improper, and inſignificant. How we came to tranſlate *Spirits*, by the Word *Ghoſts*, which ſignifieth nothing, neither in Heaven, nor Earth, but the imaginary Inhabitants of Man's Brain, I examine not: but this I ſay, the word *Spirit* in the Text ſignifieth no ſuch thing; but either properly a real *Subſtance*, or metaphorically, ſome extraordinary *Ability* or *Affection* of the Mind, or of the Body.

Seventhly, for aerial Bodies.

The Diſciples of Chriſt, ſeeing him walking upon the Sea, *Mat*. xiv. 26. and *Mark* vi. 49. ſuppoſed him to be a *Spirit*, meaning thereby an aerial *Body*, and not a Phantaſm: for it is ſaid, they all ſaw him; which cannot be underſtood of the Deluſions of the Brain, (which are not common to many at once, as viſible Bodies are; but ſingular, becauſe of the Differences of Fancies,) but of Bodies only. In like manner, where he was taken for a *Spirit*, by the ſame Apoſtles, *Luke* xxiv. 3, 7. So alſo, *Acts* xii. 15. when St. *Peter* was delivered out of Priſon, it would not be believed; but when the Maid ſaid he was at the Door, they ſaid it was his *Angel*; by which muſt be meant a corporeal ſubſtance, or we muſt ſay, the Diſciples themſelves did follow the common Opinion of both *Jews* and *Gentiles*, that ſome ſuch Apparitions were not imaginary, but real; and ſuch as needed not the Fancy of Man for their Exiſtence: Theſe the Jews called *Spirits*, and *Angels*, good or bad; as the *Greeks* called the ſame by the Name of *Dæmons*. And ſome ſuch Apparitions may be real, and ſubſtantial; that is to ſay, ſubtile Bodies, which God can form by the ſame Power, by which he formed all things, and make uſe of, as of Miniſters, and Meſſengers, (that is to ſay, Angels) to declare his Will, and execute the ſame when he pleaſeth, in extraordinary and ſupernatural manner. But when he hath ſo formed them, they are Subſtances, endued with Dimenſions, and take up room, and can be moved from Place to Place, which is peculiar to Bodies; and therefore are not Ghoſts *incorporeal*, that is to ſay, Ghoſts that are in *no place*; that is to ſay, that are *no where*; that is to ſay, that ſeeming to be *ſomewhat*, are *nothing*. But if Corporeal be taken in the moſt vulgar manner, for ſuch Subſtances as are perceptible by our external Senſes; then is Subſtance incorporeal, a thing not imaginary, but real; namely, a thin Subſtance inviſible, but that hath the ſame Dimenſions that are in groſſer Bodies.

By the Name of *Angel*, is ſignified generally a *Meſſenger*; and moſt often, a *Meſſenger of God:* and by a Meſſenger of God, is ſignified any thing that makes known his extraordinary Preſence; that is to ſay, the extraordinary Manifeſtation of his Power, eſpecially by a Dream, or Viſion.

Angel, what.

Concerning the Creation of *Angels*, there is nothing delivered in the Scriptures. That they are Spirits, is often repeated: but by the Name of Spirit, is ſignified both in Scripture and vulgarly both among *Jews* and *Gentiles*, ſometimes thin Bodies; as the Air, the Wind, the Spirits vital and animal, of living Creatures; and ſometimes the Images that riſe in the Fancy in Dreams, and Viſions; which are not real Subſtances, nor laſt any longer than the Dream or Viſion they appear in; which Apparitions, though no real Subſtances, but Accidents of the Brain; yet when God raiſeth them ſupernaturally, to ſignify his Will, they are not improperly termed God's Meſſengers, that is to ſay, his *Angels*.

And as the *Gentiles* did vulgarly conceive the Imagery of the Brain, for Things really ſubſiſtent without them, and not dependent on the Fancy; and out of them framed their Opinions of *Dæmons*, good and evil; which becauſe they ſeemed to ſubſiſt really, they called *Subſtances*; and becauſe they could not feel them with their Hands, *incorporeal:* ſo alſo the *Jews* upon the ſame Ground, without any Thing in the Old Teſtament that conſtrained them thereunto, had generally an Opinion, (except the Sect of the *Sadducees)* that thoſe Apparitions, which it pleaſed God ſometimes to produce in the Fancy of Men, for his own Service, and therefore called them his *Angels*, were Subſtances, not dependent on the Fancy, but permanent Creatures of God; whereof thoſe which they thought were good to them, they eſteemed the *Angels of God*, and thoſe they thought would hurt them, they called *evil Angels*, or evil Spirits; ſuch as was the Spirit of *Python*, and the Spirits of Madmen, of Lunatics and Epileptics: For they eſteemed ſuch as were troubled with ſuch Diſeaſes, *Dæmoniacs*.

But if we conſider the Places of the Old Teſtament where Angels are mentioned, we ſhall find, that in moſt of them, there can nothing elſe be underſtood by the Word *Angel*, but ſome Image raiſed (ſupernaturally) in the Fancy, to ſignify the Preſence of God in the Execution of ſome ſupernatural work; and therefore in the reſt, where their Nature is not expreſs'd, it may be underſtood in the ſame Manner.

For we read, *Gen.* xvi. that the ſame Apparition is called, not only an *Angel*, but *God*; where that which, ver. 7. is called the *Angel* of the Lord, in the tenth Verſe, ſaith to *Agar*, *I will multiply thy Seed exceedingly*; that is, ſpeaketh in the Perſon of God. Neither was this Apparition a Fancy figured, but a Voice. By which it is manifeſt, that *Angel* ſignifieth there, nothing but *God* himſelf, that cauſed *Agar* ſupernaturally to apprehend a Voice from Heaven; or rather, nothing elſe but a Voice ſupernatural, teſtifying God's ſpecial Preſence there. Why therefore may not the Angels that appeared to *Lot*, and are called, *Gen.* xix. 13. *Men*; and to whom, though they were two, *Lot* ſpeaketh, ver. 18. as but to one, and that one, as God, (for the Words are, *Lot ſaid unto them, Oh not ſo my Lord)* be underſtood of Images of Men, ſupernaturally formed in the Fancy; as well as before by Angel was underſtood a fancied Voice? When the Angel called to *Abraham* out of Heaven, to ſtay his Hand, *Gen.* xxii. 11. from ſlaying *Iſaac*, there was no Apparition, but a Voice; which neverthele ſs was called properly enough a Meſſenger, or *Angel* of God, becauſe it declared God's Will ſupernaturally, and ſaves the Labour of ſuppoſing any permanent Ghoſts. The Angels which

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Jacob ſaw on the Ladder of Heaven, *Gen.* xxviii. 12. were a Viſion of his Sleep; therefore only Fancy and a Dream; yet being ſupernatural, and Signs of God's ſpecial Preſence, thoſe Apparitions are not improperly called *Angels*. The ſame is to be underſtood, *Gen.* xxxi. 11. where *Jacob* ſaith thus, *The Angel of the Lord appeared to me in my Sleep.* For an Apparition made to a Man in his Sleep, is that which all Men call a Dream, whether ſuch Dream be natural, or ſupernatural: and that which there *Jacob* called an *Angel*, was God himſelf; for the ſame Angel ſaith ver. 13. *I am the God of Bethel.*

Alſo *Exod.* xiv. 9. the Angel that went before the Army of *Iſrael* to the *Red-ſea*, and then came behind it, is, ver. 19. the Lord himſelf; and he appeared not in the Form of a beautiful Man, but in Form (by Day) of a *Pillar of Cloud*, and (by Night) in Form of a *Pillar of Fire*; and yet this Pillar was all the Apparition, and *Angel* promiſed to *Moſes*, *Exod.* xiv. 9. for the Army's Guide: For this cloudy Pillar is ſaid to have deſcended, and ſtood at the Door of the Tabernacle, and to have talked with *Moſes*.

There you ſee Motion and Speech, which are commonly attributed to Angels, attributed to a Cloud, becauſe the Cloud ſerved as a Sign of God's Preſence; and was no leſs an Angel, than if it had had the Form of a Man, or Child of never ſo great Beauty; or Wings, as uſually they are painted, for the falſe Inſtruction of common People. For it is not the Shape, but their Uſe, that makes them Angels. But their Uſe is to be Significations of God's Preſence in ſupernatural Operations; as when *Moſes*, *Exod.* xxxiii. 14. had deſired God to go along with the Camp, (as he had done always before the making of the Golden Calf) God did not anſwer, *I will go*, not *I will ſend an Angel in my ſtead*; but thus, *My Preſence ſhall go with thee.*

To mention all the Places of the Old Teſtament where the Name of Angel is found, would be too long. Therefore to comprehend them at once, I ſay, there is no Text in that Part of the Old Teſtament, which the Church of *England* holdeth for Canonical, from which we can conclude, there is, or hath been created, any permanent Thing (underſtood by the Name of *Spirit* or *Angel*) that hath not Quantity; and that may not be, by the Underſtanding divided; that is to ſay, conſidered by Parts; ſo as one Part may be in one Place, and the next Part in the next Place to it; and in ſum, which is not (taking Body for that, which is ſomewhat, or ſomewhere) corporeal: but in every Place, the Senſe will bear the Interpretation of Angel for Meſſenger; as *John Baptiſt* is called an Angel, and Chriſt the Angel of the Covenant; and as (according to the ſame Analogy) the Dove, and the Fiery Tongues, in that they were Signs of God's ſpecial Preſence, might alſo be called Angels. Though we find in *Daniel* two Names of Angels, *Gabriel*, and *Michael*; yet it is clear out of the Text itſelf, *Dan.* xii. 1. that by *Michael* is meant *Chriſt*, not as an Angel, but as a Prince: and that *Gabriel* (as the like Apparitions made to other holy Men in their Sleep) was nothing but a ſupernatural Phantaſm, by which it ſeemed to *Daniel*, in his Dream, that two Saints being in Talk, one of them ſaid to the other, *Gabriel, let us make this Man underſtand his Viſion:* For God needeth not to diſtinguiſh his celeſtial Servants by Names, which are uſeful only to the ſhort Memories of Mortals. Nor in the New Teſtament is there any Place, out of which it can be proved, that Angels (except when they are put for ſuch Men, as God hath made the Meſſengers and Miniſters of his Word or Works) are Things permanent, and withal incorporeal. That they are permanent, may be gathered from the Words of our Saviour himſelf, *Mat.* xxv. 41. where he ſaith, it ſhall be ſaid to the wicked in the laſt Day, *Go ye Curſed into everlaſting Fire, prepared for the Devil and his Angels:* which Place is manifeſt for the Permanence of evil Angels, (unleſs we might think the Name of Devil and his Angels may be underſtood of the Church's Adverſaries and their Miniſters: but then it is repugnant to their Immateriality; becauſe everlaſting Fire is no Puniſhment to impatible Subſtances; ſuch as are all things incorporeal. Angels therefore are not thence proved to be incorporeal. In like manner where St. *Paul* ſays, 1 *Cor*. vi. 3. *Know ye not that we ſhall judge the Angels?* And 2 *Pet*. ii. 4. *For if God ſpared not the Angels that ſinned, but caſt them down into Hell.* And *Jude* 6. *And the Angels that kept not their firſt Eſtate, but left their own Habitation, he hath reſerved in everlaſting Chains under Darkneſs unto the Judgment of the laſt Day*; though it prove the Permanence of angelical Nature, it confirmeth alſo their Materiality. And *Mat*. xxii 30. *In the Reſurrection Men do neither marry, nor give in Marriage, but are as the Angels of God in Heaven:* but in the Reſurrection Men ſhall be permanent, and not incorporeal; ſo therefore alſo are the Angels.

There be divers other Places out of which may be drawn the like Concluſion. To Men that underſtand the Signification of theſe Words, *Subſtance*, and *Incorporeal*; as *Incorporeal* is taken not for ſubtile Body, but for *not Body*, they imply a Contradiction: inſomuch as to ſay, an Angel, or Spirit is (in that Senſe) an incorporeal Subſtance, is to ſay in Effect, there is no Angel nor Spirit at all. Conſidering therefore the Signification of the Word *Angel* in the Old Teſtament, and the Nature of Dreams and Viſions that happen to Men by the ordinary Way of Nature; I was inclined to this Opinion, that Angels were nothing but ſupernatural Apparitions of the Fancy, raiſed by the ſpecial and extraordinary Operation of God, thereby to make his Preſence and Commandments known to Mankind, and chiefly to his own People. But the many Places of the New Teſtament, and our Saviour's own Words, and in ſuch Texts, wherein is no Suſpicion of the Corruption of the Scripture, have extorted from my feeble Reaſon, an Acknowledgment and Belief, that there be alſo Angels ſubſtantial and permanent. But to believe they be in no Place, that is to ſay, no where, that is to ſay, nothing, as they (though indirectly) ſay, that will have them incorporeal, cannot by Scripture be evinced.

Inſpiration, what.

On the Signification of the Word *Spirit* dependeth that of the Word *Inſpiration*; which muſt either be taken properly, and then it is nothing but the blowing into a Man ſome thin and ſubtile Air or Wind, in ſuch manner as a Man filleth a Bladder with his Breath; and if Spirits be not corporeal, but have their Exiſtence only in the Fancy, it is nothing but the blowing in of a Phantaſm; which is improper to ſay, and impoſſible; for Phantaſms are not, but only ſeem to be ſomewhat. That Word therefore is uſed in the Scripture metaphorically only: as *Gen*. ii. 7. where it is ſaid, that God *inſpired* into Man the Breath of Life, no more is meant, than that God gave unto him vital Motion. For we are not to think that God firſt made a living Breath, and then blew it into *Adam* after he was made, whether that Breath were real, or ſeeming; but only as it is *Acts* xvii. 25. *that he gave him Life, and Breath:* that is, made him a living Creature. And where it is ſaid 2 *Tim*. iii. 16. *all Scripture is given by Inſpiration from God*, ſpeaking there of the Scripture of the Old Teſtament, it is an eaſy Metaphor, to ſignify, that God inclined the Spirit or Mind of thoſe Writers, to write that which ſhould be uſeful, in teaching, reproving, correcting, and inſtructing Men in the way of righteous Living. But where St. *Peter* ſaith 2 *Pet*. i. 21. that *Prophecy came not in old time by the Will of Man, but the holy Men of God ſpake as they were moved by the Holy Spirit*, by the Holy Spirit,

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rit, is meant the Voice of God in a Dream, or Viſion ſupernatural; which is not *Inſpiration:* Nor when our Saviour breathing on his Diſciples, ſaid, *Receive the Holy Spirit*, was that Breath the Spirit, but a Sign of the ſpiritual Graces he gave unto them. And though it be ſaid of many, and of our Saviour himſelf, that he was full of the Holy *Spirit*; yet that Fulneſs is not to be underſtoed for *Infuſion* of the Subſtance of God, but for Accumulation of his Gifts, ſuch as are the Gift of Sanctity of Life, of Tongues, and the like; whether attained ſupernaturally, or by Study and Induſtry; for in all Caſes they are the Gifts of God. So likewiſe where God ſays, *Joel* ii. 28. *I will pour out my Spirit upon all Fleſh, and your Sons and your Daughters ſhall propheſy, your old Men ſhall dream Dreams, and your young Men ſhall ſee Viſions*, we are not to underſtand it in the proper Senſe, as if his *Spirit* were like Water, ſubject to Effuſion or Infuſion; but as if God had promiſed to give them prophetical Dreams, and Viſions. For the proper Uſe of the Word *infuſed*, in ſpeaking of the Graces of God, is an Abuſe of it; for thoſe Graces are Virtues, not Bodies, to be carried hither and thither, and to be poured into Men, as into Barrels.

In the ſame manner, to take *Inſpiration* in the proper Senſe, or to ſay that good *Spirits* entered into Men, to make them propheſy, or evil *Spirits* into thoſe that became frantic, lunatic, or epileptic, is not to take the Word in the Senſe of the Scripture; for the Spirit there is taken for the Power of God, working by Cauſes to us unknown. As alſo *Acts* ii. 2. the Wind, that is there ſaid to fill the Houſe wherein the Apoſtles were aſſembled on the Day of Pentecoſt, is not to be underſtood for the Holy *Spirit*, which is the Deity itſelf; but for an external Sign of God's ſpecial working on their Hearts, to effect the internal Graces, and holy Virtues he thought requiſite for the Performance of their Apoſtleſhip.

CHAP. XXXV.

Of the Signification in Scripture of KINGDOM *of* GOD, *of* HOLY, SACRED, *and* SACRAMENT.

The Kingdom of God taken by Divines metaphorically, but in the Scriptures properly.

THE *Kingdom of God* in the Writings of Divines, and eſpecially in Sermons, and Treatiſes of Devotion, is taken moſt commonly for eternal Felicity, after this Life, in the higheſt Heaven, which they alſo call the Kingdom of Glory; and ſometimes for (the Earneſt of that Felicity) Sanctification, which they term the Kingdom of Grace; but never for the Monarchy, the Sovereign Power of God over any Subjects acquired by their own Conſent, which is the proper Signification of Kingdom.

To the contrary, I find the *Kingdom of God*, to ſignify in moſt Places of Scripture, *a Kingdom properly ſo named*, conſtituted by the Votes of the People of *Iſrael* in peculiar manner; wherein they choſe God for their King by Covenant made with him, upon God's promiſing them the Poſſeſſion of the Land of *Canaan*; and but ſeldom metaphorically; and then it is taken for *Dominion over Sin*; and only in the New Teſtament; becauſe ſuch a Dominion as that, every Subject ſhall have in the Kingdom of God, and without Prejudice to the Sovereign.

From the very Creation, God not only reigned over all Men *naturally* by his Might; but alſo had *peculiar* Subjects, whom he commanded by a Voice, as one Man ſpeaketh to another. In which manner he *reigned* over *Adam*, and gave him Commandment to abſtain from the Tree of Cognizance of Good and Evil; which when he obeyed not, but taſting thereof, took upon him to be as God, judging between Good and Evil, not by his Creator's Commandment, but by his own Senſe, his Puniſhment was a Privation of the Eſtate of eternal Life, wherein God had at firſt created him: And afterwards God puniſhed his Poſterity for their Vices, all but eight Perſons, with an univerſal Deluge; and in theſe eight did conſiſt the then *Kingdom of God.*

The Original of the Kingdom of God.

After this, it pleaſed God to ſpeak to *Abraham*, and (*Gen.* xvii. 7, 8.) to make a Covenant with him in theſe Words: *I will eſtabliſh my Covenant between me and thee, and thy Seed after thee in their Generations, for an everlaſting Covenant, to be a God to thee, and to thy Seed after thee: And I will give unto thee, and to thy Seed after thee, the Land wherein thou art a Stranger, all the Land of Canaan for an everlaſting Poſſeſſion.* In this Covenant, *Abraham promiſeth for himſelf and his Poſterity, to obey as God the Lord that ſpake to him: and God on his Part, promiſeth to* Abraham *the Land of* Canaan *for an everlaſting Poſſeſſion.* And for a Memorial, and a Token of this Covenant, he ordaineth (Verſe 11.) the *Sacrament of Circumciſion.* This is it which is called the *Old Covenant*, or *Teſtament*; and containeth a Contract between God and *Abraham*; by which *Abraham* obligeth himſelf, and his Poſterity, in a peculiar manner to be ſubject to God's poſitive Law; for to the Law moral, he was obliged before, as by an Oath of Allegiance. And tho' the Name of *King* be not yet given to God, nor of *Kingdom* to *Abraham* and his Seed; yet the Thing is the ſame; namely, an Inſtitution by Pact, of God's peculiar Sovereignty over the Seed of *Abraham*; which in the renewing of the ſame Covenant by *Moſes*, at Mount *Sinai*, is expreſly called a peculiar *Kingdom of God* over the *Jews*: and it is of *Abraham* (not of *Moſes*) St. *Paul* ſaid, *Rom.* iv. 11. that he is the *Father of the Faithful*; that is, of thoſe that are loyal, and do not violate their Allegiance ſworn to God, then by Circumciſion, and afterwards in the *New Covenant* by Baptiſm.

That the Kingdom of God is properly his Civil Sovereignty over a peculiar People by Pact.

This Covenant, at the Foot of Mount *Sinai*, was renewed by *Moſes*, *Exod.* xix. 5. where the Lord commandeth *Moſes* to ſpeak to the People in this manner: *If you will obey my Voice indeed, and keep my Covenant, then ye ſhall be a peculiar People to me, for all the Earth is mine: And ye ſhall be unto me a ſacerdotal Kingdom, and an holy Nation.* For a *peculiar People*, the vulgar *Latin* hath, *peculium de cunctis populis:* the *Engliſh* Tranſlation made in the beginning of the Reign of King *James*, hath, *a peculiar Treaſure unto me above all Nations*; and the *Geneva French, the moſt precious Jewel of all Nations.* But the trueſt Tranſlation is the firſt, becauſe it is confirmed by St. *Paul* himſelf, *Tit.* ii. 14. where he ſaith, alluding to that Place, that our bleſſed Saviour *gave himſelf for us, that he might purify us to himſelf, a peculiar* (that is, an extraordinary) *People:* for the Word is in the *Greek* περιούσιος, which is oppoſed commonly to the Word ἐπιούσιος; and as this ſignifieth *ordinary*, *quotidian*, or (as in the Lord's Prayer) *of daily Uſe*; ſo the other ſignifieth that which is *overplus*, and *ſtored up*, and *enjoyed in a ſpecial manner*; which the *Latins* call *peculium:* and this Meaning of the Place is confirmed by the Reaſon God rendereth of it, which followeth immediately, in that he addeth, *For all the Earth is mine*; as if he ſhould ſay, *All the Nations of the World are mine*; but it is not ſo that you are mine, but in a *ſpecial manner:* For they are all mine, by reaſon of my Power; but you ſhall be mine, by your own Conſent and Covenant; which is an Addition to his ordinary Title to all Nations.

The ſame is again confirmed in expreſs Words in the ſame Text, *Ye ſhall be to me a ſacerdotal Kingdom, and an holy Nation.* The vulgar *Latin*

Latin hath it, *regnum ſacerdotale*, to which agreeth the Tranſlation of that Place, 1 *Pet.* ii. 9. *ſacerdotium regale*, *a regal Prieſthood*; as alſo the Inſtitution itſelf, by which no Man might enter into the *Sanctum Sanctorum*, that is to ſay, no Man might enquire God's Will immediately of God himſelf, but only the High Prieſt. The *Engliſh* Tranſlation before mentioned, following that of *Geneva*, has, *a Kingdom of Prieſts*; which is either meant of the Succeſſion of one High Prieſt after another, or elſe it accordeth not with St. *Peter*, nor with the Exerciſe of the High Prieſthood: For there was never any but the High Prieſt only, that was to inform the People of God's Will; nor any Convocation of Prieſts ever allowed to enter into the *Sanctum Sanctorum*.

Again, the Title of a *Holy Nation* confirms the ſame: For *holy* ſignifies that which is God's by ſpecial, not by general, Right. All the Earth (as is ſaid in the Text) is God's; but all the Earth is not called *holy*, but that only which is ſet apart for his ſpecial Service, as was the Nation of the *Jews*. It is therefore manifeſt enough by this one Place, that by the *Kingdom of God*, is properly meant a Commonwealth, inſtituted, by the Conſent of thoſe which were to be ſubject thereto, for their Civil Government, and the regulating of their Behaviour, not only towards God their King, but alſo towards one another in Point of Juſtice, and towards other Nations in Peace and War; which properly was a Kingdom, wherein God was King, and the High Prieſt was to be, after the Death of *Moſes*, his ſole Viceroy or Lieutenant.

But there be many other Places that clearly prove the ſame. As firſt, 1 *Sam.* viii. 7. when the Elders of *Iſrael* (grieved with the Corruption of the Sons of *Samuel*) demanded a King, *Samuel* diſpleaſed therewith, prayed unto the Lord; and the Lord anſwering ſaid unto him, *Hearken unto the Voice of the People, for they have not rejected thee, but they have rejected me, that I ſhould not reign over them.* Out of which it is evident, that God himſelf was then their King; and *Samuel* did not command the People, but only delivered to them that which God from Time to Time appointed him.

Again, 1 *Sam.* xii. 12. where *Samuel* ſaith to the People, *When ye ſaw that Nahaſh King of the Children of Ammon came againſt you, ye ſaid unto me, Nay, but a King ſhall reign over us, when the Lord your God was your King:* It is manifeſt that God was their King, and governed the Civil State of their Commonwealth.

And after the *Iſraelites* had rejected God, the Prophets did foretell his Reſtitution; as *Iſaiah* xxiv. 23. *Then the Moon ſhall be confounded, and the Sun aſhamed, when the Lord of Hoſts ſhall reign in Mount Zion, and in Jeruſalem*; where he ſpeaketh expreſly of his Reign in *Zion* and *Jeruſalem*; that is, on Earth. And, *Micah* iv. 7. *And the Lord ſhall reign over them in Mount Zion:* this Mount *Zion* is in *Jeruſalem* upon the Earth. And *Ezek.* xx. 33. *As I live, ſaith the Lord God, ſurely with a mighty Hand, and a ſtretched-out Arm, and with Fury poured out, I will rule over you: And,* Verſe 37. *I will cauſe you to paſs under the Rod, and I will bring you into the Bond of the Covenant*; that is, I will reign over you, and make you to ſtand to that Covenant which you made with me by *Moſes*, and brake in your Rebellion againſt me in the Days of *Samuel*, and in your Election of another King.

And in the New Teſtament, the Angel *Gabriel* ſaith of our Saviour, *Luke* i. 32, 33. *He ſhall be great, and be called the Son of the Moſt High, and the Lord ſhall give him the Throne of his Father David; and he ſhall reign over the Houſe of Jacob for ever; and of his Kingdom there ſhall be no End.* This is alſo a Kingdom upon Earth; for the Claim whereof, as Enemy to *Cæſar*, he was put to death; the Title of his Croſs was, *Jeſus of Nazareth, King of the Jews*; he was crowned in Scorn with a Crown of Thorns; and for the proclaiming of him, it is ſaid of the Diſciples *Acts* xvii. 7. *That they did all of them contrary to the Decrees of Cæſar, ſaying, There was another King, one Jeſus.* The Kingdom therefore of God, is a real, not a metaphorical Kingdom; and ſo taken, not only in the Old Teſtament, but the New; when we ſay, *For thine is the Kingdom, the Power, and Glory,* it is to be underſtood of God's Kingdom, by Force of our Covenant, not by the Right of God's Power; for ſuch a Kingdom God always hath; ſo that it were ſuperfluous to ſay in our Prayer, *Thy Kingdom come,* unleſs it be meant of the Reſtauration of that Kingdom of God by Chriſt, which by Revolt of the *Iſraelites* had been interrupted in the Election of *Saul*. Nor had it been proper to ſay, *The Kingdom of Heaven is at hand,* or to pray, *Thy Kingdom come,* if it had ſtill continued.

There be ſo many other Places that confirm this Interpretation, that it were a wonder there is no greater notice taken of it, but that it gives too much light to Chriſtian Kings to ſee their Right of Eccleſiaſtical Government. This they have obſerved, that inſtead of a *Sacerdotal Kingdom,* tranſlate, *a Kingdom of Prieſts:* for they may as well tranſlate a *Royal Prieſthood,* (as it is in St. *Peter*) into a *Prieſthood of Kings.* And whereas, for a *peculiar People,* they put a *precious Jewel,* or *Treaſure,* a Man might as well call the ſpecial Regiment, or Company of a General, the General's precious Jewel, or his Treaſure.

In ſhort, the Kingdom of God is a Civil Kingdom; which conſiſted, firſt in the Obligation of the People of *Iſrael* to thoſe Laws, which *Moſes* ſhould bring unto them from Mount *Sinai*; and which afterwards the High Prieſt for the Time being, ſhould deliver to them from before the *Cherubims* in the *Sanctum Sanctorum*; and which Kingdom having been caſt off, in the Election of *Saul*, the Prophets foretold, ſhould be reſtored by Chriſt; and the Reſtauration whereof we daily pray for, when we ſay in the Lord's Prayer, *Thy Kingdom come*; and the Right whereof we acknowledge, when we add, *For thine is the Kingdom, the Power, and Glory, for ever and ever, Amen*; and the Proclaiming whereof, was the Preaching of the Apoſtles; and to which Men are prepared, by the Teachers of the Goſpel; to embrace which Goſpel, that is to ſay, to promiſe Obedience to God's Government, is, to be in the *Kingdom of Grace,* becauſe God hath, *gratis,* given to ſuch the Power to be the Subjects, that is, Children, of God hereafter, when Chriſt ſhall come in Majeſty to judge the World, and actually to govern his own People, which is called *the Kingdom of Glory.* If the Kingdom of God (called alſo the Kingdom of Heaven, from the Glorioufneſs, and admirable Height of that Throne) were not a Kingdom which God by his Lieutenants, or Vicars, who deliver his Commandments to the People, did exerciſe on Earth; there would not have been ſo much Contention, and War, about who it is, by whom God ſpeaketh to us; neither would many Prieſts have troubled themſelves with Spiritual Juriſdiction, nor any King have denied it them.

Holy, what.

Out of this literal Interpretation of the *Kingdom of God,* ariſeth alſo the true Interpretation of the Word *Holy.* For it is a Word, which in God's Kingdom anſwereth to that, which Men in their Kingdoms uſe to call *Public,* or the *King's*.

The King of any Country is the *Public* Perſon, or Repreſentative of all his own Subjects. And God the King of *Iſrael* was the *Holy One* of *Iſrael.* The Nation which is ſubject to one earthly Sovereign, is the Nation of that Sovereign, that is, of the Public Perſon. So the *Jews,* who were God's Nation, were called *Exod.* xix. 6. *a Holy Nation.* For by *Holy*, is always underſtood, either God himſelf, or that which is God's in Propriety; as by Public, is always meant, either the Perſon of the Commonwealth itſelf, or ſomething that is ſo the Commonwealth's, as no private Perſon can claim any Property therein.

Therefore the Sabbath (God's Day) is a *Holy Day*; the Temple, (God's Houſe) a *Holy Houſe*; Sacrifices, Tithes, and Offerings, (God's Tribute) *Holy Duties*; Prieſts, Prophets, and anointed Kings, under Chriſt, (God's Miniſters) *Holy Men*; the Celeſtial miniſtring Spirits, (God's Meſſengers) *Holy Angels*; and the like: and whereſoever the Word *Holy* is taken properly, there is ſtill ſomething ſignified of Propriety, gotten by Conſent. In ſaying *Hallowed be thy Name*, we do but pray to God for Grace to keep the firſt Commandment, of *having no other Gods but him*. Mankind is God's Nation in Propriety: but the *Jews* only were a *Holy Nation*. Why, but becauſe they became his Propriety by Covenant?

And the Word *Profane*, is uſually taken in the Scripture for the ſame with *Common*; and conſequently their contraries, *Holy*, and *Proper*, in the Kingdom of God, muſt be the ſame alſo. But figuratively, thoſe Men are alſo called *Holy*, that led ſuch godly Lives, as if they had forſaken all worldly Deſigns, and wholly devoted, and given themſelves to God. In the proper Senſe, that which is made *Holy* by God's appropriating or ſeparating it to his own Uſe, is ſaid to be *ſanctified* by God, as the Seventh Day in the fourth Commandment; and as the Elect in the New Teſtament were ſaid to be *ſanctified*, when they were endued with the Spirit of Godlineſs. And that which is made *Holy* by the Dedication of Men, and given to God, ſo as to be uſed only in his public Service, is called alſo *Sacred*, and ſaid to be conſecrated, as Temples, and other Houſes of public Prayer, and their Utenſils, Prieſts, and Miniſters, Victims, Offerings, and the external Matter of Sacraments.

Sacred, what.

Of *Holineſs* there be Degrees: for of thoſe Things that are ſet apart for the Service of God, there may be ſome ſet apart again, for a nearer and more eſpecial Service, The whole Nation of the *Iſraelites* were a People Holy to God; yet the Tribe of *Levi* was amongſt the *Iſraelites* a Holy Tribe; and amongſt the *Levites*, the Prieſts were yet more Holy; and amongſt the Prieſts, the High Prieſt was the moſt Holy. So the Land of *Judea* was the Holy Land; but the Holy City wherein God was to be worſhiped, was more Holy; and again, the Temple more Holy than the City; and the *Sanctum Sanctorum* more Holy than the reſt of the Temple.

Degrees of Sanctity.

A *Sacrament*, is a Separation of ſome viſible Thing from common Uſe; and a Conſecration of it to God's Service, for a Sign, either of our Admiſſion into the Kingdom of God, to be of the Number of his peculiar People, or for a Commemoration of the ſame. In the Old Teſtament, the ſign of Admiſſion was *Circumciſion*; in the New Teſtament, *Baptiſm*. The Commemoration of it in the Old Teſtament, was the *Eating* (at a certain time, which was Anniverſary) of the *Paſchal Lamb*; by which they were put in mind of the Night wherein they were delivered out of their Bondage in *Egypt*: and in the New Teſtament, the celebrating of the *Lord's Supper*; by which we are put in mind of our Deliverance from the Bondage of Sin, by our Bleſſed Saviour's Death upon the Croſs. The Sacraments of *Admiſſion*, are but once to be uſed, becauſe there needs but one *Admiſſion*; but becauſe we have need of being often put in mind of our Deliverance, and of our Allegiance, the Sacraments of *Commemoration* have need to be reiterated. And theſe are the principal Sacraments, and as it were the ſolemn Oaths we make of our Allegiance. There be alſo other Conſecrations, that may be called Sacraments, as the Word implieth only Conſecration to God's Service; but as it implies an Oath, or Promiſe of

Sacrament.

of Allegiance to God, there were no other in the Old Teſtament, but *Circumciſion*, and the *Paſſover*; nor are there any other in the New Teſtament, but *Baptiſm*, and the *Lord's Supper*.

CHAP. XXXVI.

Of the WORD OF GOD, *and of* PROPHETS.

Word, what.

WHEN there is mention of the *Word of God*, or of *Man*, it doth not ſignify a part of Speech, ſuch as Grammarians call a Noun or a Verb, or any ſimple Voice, without a Contexture with other Words to make it ſignificative; but a perfect Speech or Diſcourſe, whereby the Speaker *affirmeth*, *denieth*, *commandeth*, *promiſeth*, *threateneth*, *wiſheth*, or *interrogateth*. In which Senſe it is not *Vocabulum*, that ſignifies a *Word*; but *Sermo*, (in *Greek* λόγος) that is, ſome *Speech*, *Diſcourſe*, or *Saying*.

The Words ſpoken by God, and concerning God, both are called God's Word in Scripture.

Again, if we ſay the *Word* of *God*, or of *Man*, it may be underſtood ſometimes of the Speaker, as the Words that God hath ſpoken, or that a Man hath ſpoken: In which Senſe, when we ſay the Goſpel of St. *Matthew*, we underſtand St. *Matthew* to be the Writer of it. And ſometimes of the Subject: In which Senſe, when we read in the Bible, *The Words of the Days of the Kings of Iſrael or Judah*, 'tis meant, that the Acts that were done in thoſe Days, were the Subject of thoſe Words; and in the *Greek*, which in Scripture retaineth many *Hebraiſms*, by the Word of God is oftentimes meant, not that which is ſpoken by God, but concerning God, and his Government; that is to ſay, the Doctrine of Religion: Inſomuch, as it is all one, to ſay λόγος θεȣ̃, and *Theologia*; which is, that Doctrine which we uſually call *Divinity*, as is manifeſt by the Places following. *Acts* xiii. 46. *Then Paul and Barnabas waxed bold and ſaid, It was neceſſary that the Word of God ſhould firſt have been ſpoken to you; but ſeeing you put it from you, and judge yourſelves unworthy of everlaſting Life, lo, we turn to the Gentiles.* That which is here called the Word of God, was the Doctrine of Chriſtian Religion; as it appears evidently by that which goes before. And *Acts* v. 20. where it is ſaid to the Apoſtles by an Angel, *Go ſtand and ſpeak in the Temple, all the Words of this Life*; by the Words of this Life, is meant, the Doctrine of the Goſpel; as is evident by what they did in the Temple, and is expreſſed in the laſt Verſe of the ſame Chapter, *Daily in the Temple, and in every Houſe, they ceaſed not to teach and preach Chriſt Jeſus:* In which Place it is manifeſt, that *Jeſus Chriſt* was the Subject of this *Word of Life*; or (which is all one) the Subject of the *Words of this Life eternal*, that our Saviour offered them. So *Acts* xv. 7. the Word of God is called *the Word of the Goſpel*, becauſe it containeth the Doctrine of the Kingdom of Chriſt; and the ſame Word, *Rom.* x. 8, 9. is called *the Word of Faith*; that is, as is there expreſſed, the Doctrine of Chriſt come, and raiſed from the dead. Alſo *Mat.* xiii. 19. *When any one heareth the Word of the Kingdom*; that is. the Doctrine of the Kingdom taught by Chriſt. Again, the ſame Word is ſaid, *Acts* xii. 24. *to grow, and to be multiplied*; which to underſtand of the Evangelical Doctrine is eaſy, but of the Voice or Speech of God, hard and ſtrange. In the ſame Senſe the *Doctrine of Devils*, ſignifieth not the Words of any Devil, but the Doctrine of Heathen Men concerning *Dæmons*, and thoſe Phantaſms which they worſhipped as Gods.

1 Tim. iv. 1.

Conſidering theſe two Significations of the *Word of God*, as it is taken in Scripture, it is manifeſt in this latter Senſe (where it is taken for

The Word of God metaphorically uſed, for the Decrees and Power of God.

the Doctrine of Chriſtian Religion) the whole Scripture is the Word of God: but in the former Senſe not ſo. For Example, though theſe Words, *I am the Lord thy God, &c.* to the End of the Ten Commandments, were ſpoken by God to *Moſes*; yet the Preface, *God ſpake theſe Words and ſaid,* is to be underſtood for the Words of him that wrote the holy Hiſtory. The *Word of God,* as it is taken for that which he hath ſpoken, is underſtood ſometimes *properly,* ſometimes *metaphorically. Properly,* as to Words, he hath ſpoken to his Prophets: *Metaphorically,* for his Wiſdom, Power, and eternal Decree, in making the World; in which Senſe, thoſe *Fiats, Let there be Light, Let there be a Firmament, Let us make Man, &c.* [*Gen.* i.] are the Word of God. And in the ſame Senſe it is ſaid, *John* i. 3. *All Things were made by it, and without it was nothing made that was made:* And *Heb.* i. 3. *He upholdeth all Things by the Word of his Power*; that is, by the Power of his Word; that is, by his Power: and *Heb.* xi. 3. *The Worlds were framed by the Word of God*; and many other Places to the ſame Senſe: As alſo among the *Latins,* the Name of *Fate,* which ſignifieth properly *the Word ſpoken,* is taken in the ſame Senſe.

Secondly, for the Effect of his Word.

Secondly, for the Effect of his Word; that is to ſay, for the Thing itſelf, which by his Word is affirmed, commanded, threatened, or promiſed; as *Pſal.* cv. 19. where *Joſeph* is ſaid to have been kept in Priſon, *till his Word was come*; that is, till that was come to paſs which he had, *Gen.* xl. 13. foretold to *Pharaoh*'s Butler, concerning his being reſtored to his Office: for there by *his Word was come,* is meant, the Thing itſelf was come to paſs. So alſo 1 *Kings* xviii. 36. *Elijah* ſaith to God, *I have done all theſe thy Words,* inſtead of *I have done all theſe Things at thy Word,* or Commandment: and *Jer.* xvii. 15. *Where is the Word of the Lord,* is put for, *Where is the Evil he threatened:* and *Ezek.* xii. *There ſhall none of my Words be prolonged any more:* by *Words* are underſtood thoſe *Things,* which God promiſed to his People. And in the New Teſtament, *Mat.* xxiv. 35. *Heaven and Earth ſhall paſs away, but my Word ſhall not paſs away*; that is, there is nothing that I have promiſed or foretold, that ſhall not come to paſs. And in this Senſe it is, that St. *John* the Evangeliſt, and, I think, St. *John* only called our Saviour himſelf as in the Fleſh *the Word of God,* as *John* i. 14. *the Word was made Fleſh*; that is to ſay, the Word, or Promiſe that Chriſt ſhould come into the World; *who in the Beginning was with God*; that is to ſay, it was in the Purpoſe of God the Father, to ſend God the Son into the World, to enlighten Men in the Way of eternal Life; but it was not till then put in Execution, and actually incarnate; ſo that our Saviour is there called *the Word,* not becauſe he was the Promiſe, but the Thing promiſed. They that taking Occaſion from this Place, do commonly call him the Verb of God, do but render the Text more obſcure. They might as well term him the Noun of God: for as by *Noun,* ſo alſo by *Verb,* Men underſtand nothing but a Part of Speech, a Voice, a Sound, that neither affirms, nor denies, nor commands, nor promiſeth, nor is any Subſtance corporeal or ſpiritual; and therefore it cannot be ſaid to be either God or Man; whereas our Saviour is both. And this *Word* which St. *John* in his Goſpel ſaith was with God, is, in his firſt Epiſtle, Chap. i. 1. called the *Word of Life*; and, ver. 2. *the eternal Life, which was with the Father:* ſo that he can be in no other Senſe called the *Word,* than in that, wherein he is called eternal Life; that is, *he that hath procured us eternal Life,* by his coming in the Fleſh. So alſo, *Apocalypſe* xix. 13. the Apoſtle ſpeaking of Chriſt, cloathed in a Garment dipt in Blood, ſaith, his Name is *the Word of God*; which is to be underſtood, as if he had ſaid his Name had been, *He that was come according to the Purpoſe*

poſe of God from the Beginning, and according to his Word and Promiſes delivered by the Prophets. So that there is nothing here of the Incarnation of a Word, but of the Incarnation of God the Son, therefore called *the Word,* becauſe his Incarnation was the Performance of the Promiſe; in like Manner as the Holy Ghoſt is called *the Promiſe.*

Acts i. 4. Luke xxiv. 49.

Thirdly, for the Words of Reaſon and Equity.

There are alſo Places of the Scripture, where, by the *Word of God,* is ſignified ſuch Words as are conſonant to Reaſon and Equity, though ſpoken ſometimes neither by Prophet, nor by a holy Man. For *Pharaoh Necho* was an Idolater; yet his Words to the good King *Joſiah,* in which he adviſeth him by Meſſengers, not to oppoſe him in his March againſt *Carchemiſh,* are ſaid to have proceeded from the Mouth of God; and that *Joſiah* not hearkening to them, was ſlain in the Battle; as is to be read 2 *Chron.* xxxv. 21, 22, 23. It is true, that as the ſame Hiſtory is related in the firſt Book of *Eſdras,* not *Pharaoh,* but *Jeremiah* ſpake theſe Words to *Joſiah,* from the Mouth of the Lord. But we are to give credit to the Canonical Scripture, whatſoever be written in the *Apocrypha.*

The *Word of God* is then alſo to be taken for the Dictates of Reaſon, and Equity, when the ſame is ſaid in the Scriptures to be written in Man's Heart; as *Pſal.* xxxvi. 31. *Jer.* xxxi. 33. *Deut.* xxx. 11, 14. and many other like Places.

Divers Acceptations of the Word Prophet.

The Name of *Prophet,* ſignifieth in Scripture ſometimes *Prolocutor;* that is, he that ſpeaketh from God to Man, or from Man to God: And ſometimes *Prædictor,* or a Foreteller of Things to come: And ſometimes one that ſpeaketh incoherently, as Men that are diſtracted. It is moſt frequently uſed in the Senſe of ſpeaking from God to the People. So *Moſes, Samuel, Elijah, Jeremiah,* and others, were *Prophets.* And in this Senſe the High Prieſt was a *Prophet,* for he only went into the *Sanctum Sanctorum,* to enquire of God; and was to declare his Anſwer to the People. And therefore when *Caiaphas* ſaid, it was expedient that one Man ſhould die for the People, St. *John* ſaith, Chap. xi. 51. that *He ſpake not this of himſelf, but being High Prieſt that Year, he propheſied that one Man ſhould die for the Nation.* Alſo they that in Chriſtian Congregations taught the People, 1 *Cor.* xiv. 3. are ſaid to propheſy. In the like Senſe it is, that God ſaith to *Moſes, Exod.* iv. 16. concerning *Aaron, He ſhall be thy Spokeſman to the People; and ſhall be to thee a Mouth, and thou ſhalt be to him inſtead of God:* that which here is *Spokeſman,* is [Chap. vii. 1.] interpreted Prophet; *See* (ſaith God) *I have made thee a God to Pharaoh, and Aaron thy Brother ſhall be thy Prophet.* In the Senſe from Man to God, *Abraham* is called a Prophet, *Gen.* xx. 7. where God in a Dream ſpeaketh to *Abimelech* in this Manner, *Now therefore reſtore the Man his Wife, for he is a Prophet, and ſhall pray for thee;* whereby may be alſo gathered, that the Name of Prophet may be given, not improperly, to them that in Chriſtian Churches have a Calling to ſay public Prayers for the Congregation. In the ſame Senſe, the Prophets that came down from the high Place, (or Hill of God) with a Pſaltery, and a Tabret, and a Pipe, and a Harp, 1 *Sam.* x. 5, 6. and (ver. 10.) *Saul* amongſt them, are ſaid to propheſy, in that they praiſed God in that Manner publicly. In the like Senſe, is *Miriam, Exod.* xv. 20. called a Propheteſs. So is it alſo to be taken, 1 *Cor.* xi. 4, 5. where St. *Paul* ſaid, *Every Man that prayeth or propheſieth with his Head covered, &c. and every Woman that prayeth or propheſieth with her Head uncovered:* For Prophecy in that Place, ſignifieth no more but praiſing God in Pſalms, and holy Songs; which Women might do in the Church, though it were not lawful for them to ſpeak to the Congregation. And in this Signification it is, that the Poets of the Heathen,

then, that compoſed Hymns and other ſorts of Poems in Honour of their Gods, were called *Vates*, Prophets, as is well enough known by all that are verſed in the Books of the Gentiles, and as is evident, *Tit.* i. 12. where St. *Paul* ſaith of the *Cretians*, that a Prophet of their own ſaid, they were Liars; not that St. *Paul* held their Poets for Prophets, but acknowledgeth that the Word Prophet was commonly uſed to ſignify them that celebrated the Honour of God in Verſe.

Prediction of future Contingents, not always Prophecy.

When by Prophecy is meant Prediction, or foretelling of future Contingents; not only they were Prophets, who were God's Spokeſmen, and foretold thoſe things to others, which God had foretold to them; but alſo all thoſe Impoſtors, that pretend by the Help of familiar Spirits, or by ſuperſtitious Divination of Events paſt, from falſe Cauſes, to foretel the like Events in time to come: of which (as I have declared already in the twelfth Chapter of this Diſcourſe) there be many Kinds, who gain in the Opinion of the common ſort of Men, a greater Reputation of Prophecy, by one caſual Event that may be wreſted to their Purpoſe, than can be loſt again by never ſo many Failings. Prophecy is not an Art, nor, when it is taken for Prediction, a conſtant Vocation; but an extraordinary, and temporary Employment from God, moſt often of good Men, but ſometimes alſo of the Wicked. The Woman of *Endor*, who is ſaid to have had a familiar Spirit, and thereby to have raiſed a Phantaſm of *Samuel*, and foretold *Saul* his Death, was not therefore a Propheteſs; for neither had ſhe any Science, whereby ſhe could raiſe ſuch a Phantaſm; nor does it appear that God commanded the raiſing of it; but only guided that Impoſture to be a Means of *Saul*'s Terror and Diſcouragement; and conſequently, of the Diſcomfiture by which he fell. And for incoherent Speech, it was amongſt the Gentiles taken for one ſort of Prophecy, becauſe the Prophets of their Oracles, intoxicated with a Spirit or Vapour from the Cave of the *Pythian* Oracle at *Delphi*, were for the time really mad, and ſpake like Madmen; of whoſe looſe Words a Senſe might be made to fit any Event, in ſuch ſort, as all Bodies are ſaid to be made of *Materia prima*. In the Scripture I find it alſo ſo taken 1 *Sam.* xviii. 10. in theſe Words: *And the evil Spirit came upon* Saul, *and he propheſied in the Midſt of the Houſe.*

The manner how God hath ſpoken to the Prophets.

And although there be ſo many Significations in Scripture of the Word *Prophet*; yet is that the moſt frequent, in which it is taken for him, to whom God ſpeaketh immediately, that which the Prophet hath to ſay from him, to ſome other Man, or to the People. And hereupon a Queſtion may be aſked, in what manner God ſpeaketh to ſuch a Prophet? Can it (may ſome ſay) be properly ſaid, that God hath Voice and Language, when it cannot be properly ſaid, he hath a Tongue, or other Organs, as a Man? The Prophet *David* argueth thus; *Shall he that made the Eye, not ſee? or he that made the Ear, not hear?* But this may be ſpoken, not (as uſually) to ſignify God's Nature, but to ſignify our Intention to honour him. For to *ſee*, and *hear*, are honourable Attributes, and may be given to declare, as far as our Capacity can conceive, his Almighty Power. But if it were to be taken in the ſtrict and proper Senſe, one might argue from his making of all other Parts of Man's Body, that he had the ſame Uſe of them as we have; which would be many of them ſo uncomely, as it would be the greateſt Contumely in the World to aſcribe them to him. Therefore we are to interpret God's ſpeaking to Men immediately, for that Way, whatſoever it be, by which God makes them underſtand his Will: and the Ways whereby he doth this, are many; and to be ſought only in the Holy Scripture: where though many times it be ſaid, that God ſpake to this, and that Perſon, without declaring in what manner; yet there be again many Places, that deliver alſo the Signs by which they were to acknowledge his Preſence and Commandment; and by theſe may be underſtood, how he ſpake to many of the reſt.

To the extraordinary Prophets of the Old Teſtament, he ſpake by Dreams, or Viſions.

In what manner God ſpake to *Adam*, and *Eve*, and *Cain*, and *Noah*, is not expreſſed; nor how he ſpake to *Abraham*, till ſuch time as he came out of his own Country to *Sichem* in the Land of *Canaan*; and then, *Gen.* xii. 7. God is ſaid to have *appeared* to him. So there is one way, whereby God made his Preſence manifeſt; that is, by an *Apparition* or *Viſion*. And again, *Gen.* xv. 1. the Word of the Lord came to *Abraham* in a Viſion; that is to ſay, ſomewhat, as a Sign of God's Preſence, appeared as God's Meſſenger, to ſpeak to him. Again, the Lord appeared to *Abraham*, *Gen.* xviii. 1. by an Apparition of three Angels; and to *Abimelech*, *Gen.* xx. 3. in a Dream: To *Lot*, *Gen.* xix. 1. by an Apparition of two Angels: And to *Hagar*, *Gen.* xxi. 17. by the Apparition of one Angel: And to *Abraham* again, *Gen.* xxii. 11. by the Apparition of a Voice from Heaven: And, *Gen.* xxvi. 24. to *Iſaac* in the Night; that is, in his Sleep, or by Dream: And to *Jacob*, *Gen.* xxviii. 12. in a Dream; that is to ſay, as are the Words of the Text, *Jacob dreamed that he ſaw a Ladder*, &c. And, *Gen.* xxxii. 1. in a Viſion of Angels: And to *Moſes*, *Exod.* iii. 2. in the Apparition of a Flame of Fire out of the midſt of a Buſh: And after the Time of *Moſes* (where the manner how God ſpake immediately to Man in the Old Teſtament is expreſſed) he ſpake always by a Viſion or by a Dream, as to *Gideon*, *Samuel*, *Elijah*, *Eliſha*, *Iſaiah*, *Ezekiel*, and the reſt of the Prophets; and often in the New Teſtament, as to *Joſeph*, to St. *Peter*, to St. *Paul*, and to St. *John* the Evangeliſt in the *Apocalypſe*.

Only to *Moſes* he ſpake in a more extraordinary manner in Mount *Sinai*, and in the *Tabernacle*; and to the High Prieſt in the *Tabernacle*, and in the *Sanctum Sanctorum* of the Temple. But *Moſes*, and after him the High Prieſts, were Prophets of a more eminent Place and Degree in God's Favour; and God himſelf in expreſs Words declareth, that to other Prophets he ſpake in Dreams and Viſions, but to his Servant *Moſes*, in ſuch manner as a Man ſpeaketh to his Friend. The Words are theſe, *Numb.* xii. 6, 7, 8. *If there be a Prophet among you, I the Lord will make myſelf known unto him in a Viſion, and will ſpeak unto him in a Dream. My Servant Moſes is not ſo, who is faithful in all my Houſe; with him I will ſpeak Mouth to Mouth, even apparently, not in dark Speeches; and the Similitude of the Lord ſhall he behold.* And *Exod.* xxxiii. 11. *The Lord ſpake to Moſes Face to Face, as a Man ſpeaketh to his Friend.* And yet this ſpeaking of God to *Moſes*, was by Mediation of an Angel, or Angels, as appears expreſly, *Acts* vii. 35, 53. and *Gal.* iii. 19. and was therefore a Viſion, though a more clear Viſion than was given to other Prophets. And conformable hereunto, where God ſaith, *Deut.* xiii. 1. *If there ariſe among you a Prophet, or Dreamer of Dreams*, the latter Word is but the Interpretation of the former. And, *Joel* ii. 28. *Your Sons and your Daughters ſhall propheſy; your old Men ſhall dream Dreams, and your young Men ſhall ſee Viſions:* where again, the Word *Prophecy* is expounded by *Dream* and *Viſion*. And in the ſame manner it was, that God ſpake to *Solomon*, promiſing him Wiſdom, Riches, and Honour; for the Text ſaith, 1 *Kings* iii. 15. *And Solomon awoke, and behold it was a Dream:* So that generally the Prophets extraordinary in the Old Teſtament took notice of the Word of God no otherwiſe, than from their Dreams or Viſions; that is to ſay, from the Imaginations which they had in their Sleep, or in an Extaſy: which Imaginations in every true Prophet were ſupernatural; but in falſe Prophets were either natural or feigned.

The ſame Prophets were nevertheleſs ſaid to ſpeak by the Spirit; as *Zech.* vii. 12. where the Prophet ſpeaking of the *Jews*, ſaith, *They made their Hearts hard as Adamant, leſt they ſhould hear the Law, and the Words which the Lord of Hoſts hath ſent in his Spirit by the former Prophets.* By which it is manifeſt, that ſpeaking by the *Spirit*, or *Inſpiration*, was not a particular Manner of God's ſpeaking, different from Viſion, when they that were ſaid to ſpeak by the Spirit, were extraordinary Prophets, ſuch as for every new Meſſage, were to have a particular Commiſſion, or (which is all one) a new Dream or Viſion.

To Prophets of perpetual Calling, and Supreme, God ſpake in the Old Teſtament from the Mercy-Seat, in a Manner not expreſſed in the Scripture.

Of Prophets, that were ſo by a perpetual Calling in the Old Teſtament, ſome were *ſupreme*, and ſome *ſubordinate*: Supreme were, firſt *Moſes*, and after him the High Prieſts, every one for his Time, as long as the Prieſthood was Royal; and after the People of the *Jews* had rejected God, that he ſhould no more reign over them, thoſe Kings which ſubmitted themſelves to God's Government, were alſo his chief Prophets; and the High Prieſt's Office became Miniſterial. And when God was to be conſulted, they put on the holy Veſtments, and enquired of the Lord, as the King commanded them, and were deprived of their Office, when the King thought fit. For King *Saul*, 1 *Sam.* xiii. 9. commanded the Burnt-offering to be brought, and 1 *Sam.* xiv. 18. he commands the Prieſt to bring the Ark near him; and, ver. 19. again to let it alone, becauſe he ſaw an Advantage upon his Enemies. And in the ſame Chapter *Saul* aſketh Counſel of God. In like Manner King *David*, after his being anointed, though before he had Poſſeſſion of the Kingdom, is ſaid to *enquire of the Lord*, 1 *Sam.* xxiii. 2. whether he ſhould fight againſt the *Philiſtines* at *Keilah*; and ver. 10. *David* commandeth the Prieſt to bring him the Ephod, to enquire whether he ſhould ſtay in *Keilah*, or not. And King *Solomon*, 1 *Kings* ii. 27. took the Prieſthood from *Abiathar*, and gave it, ver. 35. to *Zadoc*. Therefore *Moſes*, and the High Prieſts, and the pious Kings, who enquired of God on all extraordinary Occaſions, how they were to carry themſelves, or what Event they were to have, were all Sovereign Prophets. But in what Manner God ſpake unto them, is not manifeſt. To ſay that when *Moſes* went up to God in Mount *Sinai*, it was a Dream or Viſion, ſuch as other Prophets had, is contrary to that Diſtinction which God made between *Moſes* and other Prophets, *Numb.* xii. 6, 7, 8. To ſay God ſpake or appeared as he is in his own Nature, is to deny his Infiniteneſs, Inviſibility, Incomprehenſibility. To ſay he ſpake by Inſpiration, or Infuſion of the Holy Spirit, as the Holy Spirit ſignifieth the Deity, is to make *Moſes* equal with Chriſt, in whom only the Godhead, as St. *Paul* ſpeaketh *Col.* ii. 9. dwelleth bodily. And laſtly, to ſay he ſpake by the Holy Spirit, as it ſignifieth the Graces, or Gifts of the Holy Spirit, is to attribute nothing to him ſupernatural. For God diſpoſeth Men to Piety, Juſtice, Mercy, Truth, Faith, and all Manner of Virtue, both Moral and Intellectual, by Doctrine, Example, and by ſeveral Occaſions, natural and ordinary.

And as theſe Ways cannot be applied to God, in his ſpeaking to *Moſes* at Mount *Sinai*; ſo alſo, they cannot be applied to him, in his ſpeaking to the High Prieſts, from the Mercy-Seat. Therefore in what Manner God ſpake to thoſe Sovereign Prophets of the Old Teſtament, whoſe Office it was to enquire of him, is not intelligible. In the Time of the New Teſtament, there was no Sovereign Prophet but our Saviour; who was both God that ſpake, and the Prophet to whom he ſpake.

To prophets of Perpetual Calling, but ſubordinate, God ſpake by the Spirit.

To ſubordinate Prophets of perpetual Calling, I find not any Place that proveth God ſpake to them ſupernaturally; but only in ſuch Manner, as naturally he inclineth Men to Piety, to Belief, to Righteouſneſs, and to other Virtues all other Chriſtian Men. Which Way, though it conſiſt in Conſtitution, Inſtruction, Education, and the Occaſions and Invitements Men have to Chriſtian Virtues; yet it is truly attributed to the Operation of the Spirit of God, or Holy Spirit, (which we in our Language call the Holy Ghoſt): For there is no good Inclination, that is not of the Operation of God. But theſe Operations are not always ſupernatural. When therefore a Prophet is ſaid to ſpeak in the Spirit, or by the Spirit of God, we are to underſtand no more, but that he ſpeaks according to God's Will, declared by the ſupreme Prophet. For the moſt common Acceptation of the Word Spirit, is in the Signification of a Man's Intention, Mind, or Diſpoſition.

In the time of *Moſes*, there were ſeventy Men beſides himſelf, that *propheſied* in the Camp of the *Iſraelites*. In what manner God ſpake to them, is declared in the xi. of *Numbers*, verſe 25. *The Lord came down in a Cloud, and ſpake unto Moſes, and took of the Spirit that was upon him, and gave it to the ſeventy Elders. And it came to paſs, when the Spirit reſted upon them, they propheſied, and did not ceaſe.* By which it is manifeſt, firſt, that their propheſying to the People, was ſubſervient, and ſubordinate to the propheſying of *Moſes*; for that God took of the Spirit of *Moſes*, to put upon them; ſo that they propheſied as *Moſes* would have them: otherwiſe they had not been ſuffered to propheſy at all. For there was, verſe 27. a Complaint made againſt them to *Moſes*; and *Joſhua* would have *Moſes* to have forbidden them; which he did not, but ſaid to *Joſhua*, *Be not jealous in my behalf.* Secondly, that the Spirit of God in that Place, ſignifieth nothing but the Mind and Diſpoſition to obey, and aſſiſt *Moſes* in the Adminiſtration of the Government. For if it were meant they had the ſubſtantial Spirit of God; that is, the Divine Nature, inſpired into them, then they had it in no leſs manner than Chriſt himſelf, in whom only the Spirit dwelt bodily. It is meant therefore of the Gift and Grace of God, that guided them to co-operate with *Moſes*, from whom their Spirit was derived. And it appeareth, verſe 16. that they were ſuch as *Moſes* himſelf ſhould appoint for Elders and Officers of the People. For the Words are, *Gather unto me ſeventy Men, whom thou knoweſt to be Elders and Officers of the People:* where, *thou knoweſt*, is the ſame with *thou appointeſt*, or *haſt appointed to be ſuch.* For we are told before, *Exod.* 18. that *Moſes* following the Counſel of *Jethro* his Father-in-law, did appoint Judges, and Officers over the People, ſuch as feared God; and of theſe, were thoſe Seventy, whom God by putting upon them *Moſes's* Spirit, inclined to aid *Moſes* in the Adminiſtration of the Kingdom: and in this Senſe the Spirit of God is ſaid, 1 *Sam.* xvi. 13, 14. preſently upon the anointing of *David*, to have come upon *David*, and left *Saul*; God giving his Graces to him he choſe to govern his People, and taking them away from him he rejected. So that by the Spirit is meant Inclination to God's Service; and not any ſupernatural Revelation.

God ſometimes alſo ſpake by Lots.

God ſpake alſo many times by the event of Lots; which were ordered by ſuch as he had put in Authority over his People. So we read that God manifeſted by the Lots which *Saul* cauſed to be drawn, 1 *Sam* xiv. 43. the Fault that *Jonathan* had committed, in eating a *Honey-comb*, contrary to the Oath taken by the People. And, *Joſh.* xviii. 10. God divided the Land of *Canaan* amongſt the *Iſraelites*, by the *Lots that Joſhua did caſt before the Lord in Shiloh.* In the ſame manner it ſeemeth to be, that God diſcovered, *Joſhua* vii. 16, *&c.* the Crime of *Achan*. And theſe are the ways whereby God declared his Will in the Old Teſtament.

All which ways he uſed alſo in the New Teſtament. To the *Virgin Mary*, by a Viſion of an Angel: to *Joſeph* in a Dream: again to *Paul* in the way to *Damaſcus* in a Viſion of our Saviour: and to *Peter* in the

Viſion of a Sheet let down from Heaven, with divers ſorts of Fleſh, of clean, and unclean Beaſts; and in Priſon, by Viſion of an Angel: And to all the Apoſtles, and Writers of the New Teſtament, by the Graces of his Spirit; and to the Apoſtles again, at the chuſing of *Matthias* in the place of *Judas Iſcariot*, by Lot.

Every Man ought to examine the probability of a pretended Prophet's Calling.

Seeing then all Prophecy ſuppoſeth Viſion, or Dream, (which two, when they be natural, are the ſame,) or ſome eſpecial gift of God, ſo rarely obſerved in Mankind, as to be admired where obſerved; and ſeeing as well ſuch Gifts, as the moſt extraordinary Dreams, and Viſions, may proceed from God, not only by his ſupernatural, and immediate, but alſo by his natural Operation, and by Mediation of ſecond Cauſes; there is need of Reaſon and Judgment to diſcern between natural and ſupernatural Gifts, and between natural and ſupernatural Viſions, or Dreams. And conſequently Men had need to be very circumſpect, and wary, in obeying the Voice of Man, that pretending himſelf to be a Prophet, requires us to obey God in that way, which he in God's Name telleth us to be the way to Happineſs. For he that pretends to teach Men the way of ſo great Felicity, pretends to govern them; that is to ſay, to rule, and reign over them; which is a thing, that all Men naturally deſire, and is therefore worthy to be ſuſpected of Ambition and Impoſture; and conſequently, ought to be examined, and tryed by every Man, before he yield them Obedience; unleſs he have yielded it them already, in the Inſtitution of a Commonwealth; as when the Prophet is the Civil Sovereign, or by the Civil Sovereign authoriſed. And if this Examination of Prophets, and Spirits, were not allowed to every one of the People, it had been to no purpoſe, to ſet out the Marks, by which every Man might be able to diſtinguiſh between thoſe whom they ought, and thoſe whom they ought not to follow. Seeing therefore ſuch Marks are ſet out, *Deut.* xiii. 1, *&c.* to know a Prophet by; and 1 *John* iv. 1, *&c.* to know a Spirit by: and ſeeing there is ſo much Propheſying in the Old Teſtament, and ſo much Preaching in the New Teſtament againſt Prophets; and ſo much greater a Number ordinarily of falſe Prophets, than of true; every one is to beware of obeying their Directions, at their own Peril. And firſt, that there were many more falſe than true Prophets, appears by this, that when *Ahab*, 1 *Kings* xxii. conſulted four hundred Prophets, they were all Impoſtors, but only one *Micaiah*. And a little before the time of the Captivity, the Prophets were generally Lyars. *The Prophets*, ſaith the Lord by *Jeremy*, chap. xiv. verſe 14. *propheſy Lies in my Name. I ſent them not, neither have I commanded them, nor ſpake unto them; they propheſy to you a falſe Viſion, a thing of nought, and the Deceit of their Heart.* Inſomuch as God commanded the People by the Mouth of the Prophet *Jeremiah*, chap. xxiii. 16. not to obey them. *Thus ſaith the Lord of Hoſts, hearken not unto the Words of the Prophets, that propheſy to you. They make you vain, they ſpeak a Viſion of their own Heart, and not out of the Mouth of the Lord.*

All Prophecy but of the Sovereign Prophet, is to be examined by every Subject.

Seeing then there was in the time of the Old Teſtament, ſuch Quarrels amongſt the Viſionary Prophets, one conteſting with another, and aſking, *When departed the Spirit from me, to go to thee?* as between *Micaiah*, and the reſt of the four hundred; and ſuch giving of the Lye to one another, as in *Jerem.* xiv. 14. and ſuch Controverſies in the New Teſtament at this Day, amongſt the Spiritual Prophets: Every Man then was, and now is bound to make uſe of his natural Reaſon, to apply to all Prophecy thoſe Rules which God hath given us, to diſcern the true from the falſe. Of which Rules, in the Old Teſtament, one was, conformable Doctrine to that which *Moſes* the Sovereign Prophet had taught them; and the other, the miraculous Power of foretelling what God would bring to paſs, as I have already ſhewn out of *Deut.* xiii. 1, *&c.* And in the New Teſtament there was but one only Mark; and that was the preaching of this Doctrine, *That Jeſus is the Chriſt,* that is, the King of the *Jews,* promiſed in the Old Teſtament. Whoſoever denyed that Article, he was a falſe Prophet, whatſoever Miracles he might ſeem to work; and he that taught it was a true Prophet. For St. *John,* 1 Epiſt. iv. 2, *&c.* ſpeaking expreſsly of the Means to examine Spirits, whether they be of God, or not; after he had told them that there would ariſe falſe Prophets, ſaith thus, *Hereby know ye the Spirit of God. Every Spirit that confeſſeth that Jeſus Chriſt is come in the Fleſh, is of God*; that is, is approved and allowed as a Prophet of God: not that he is a godly Man, or one of the Elect, for this, that he confeſſeth, profeſſeth, or preacheth *Jeſus* to be the *Chriſt*; but for that he is a Prophet avowed. For God ſometimes ſpeaketh by Prophets, whoſe Perſons he hath not accepted; as he did by *Baalam*; and as he foretold *Saul* of his Death, by the Witch of *Endor*. Again in the next Verſe, *Every Spirit that confeſſeth not that Jeſus Chriſt is come in the Fleſh, is not of Chriſt. And this is the Spirit of Antichriſt.* So that the Rule is perfect on both ſides; that he is a true Prophet which preacheth the Meſſiah already come, in the Perſon of *Jeſus*; and a falſe one that denieth him come, and looketh for him in ſome future Impoſtor, that ſhall take upon him that Honour falſely, whom the Apoſtle there properly calleth Antichriſt. Every Man therefore ought to conſider who is the Sovereign Prophet; that is to ſay, who it is that is God's Vicegerent on Earth; and hath, next under God, the Authority of governing Chriſtian Men; and to obſerve for a Rule that Doctrine, which in the Name of God he hath commanded to be taught; and thereby to examine and try out the Truth of thoſe Doctrines, which pretended Prophets with Miracle, or without, ſhall at any Time advance: and if they find it contrary to that Rule, to do as they did that came to *Moſes* and complain'd, that there were ſome that propheſied in the Camp, whoſe Authority ſo to do they doubted of; and leave to the Sovereign, as they did to *Moſes,* to uphold or to forbid them, as he ſhould ſee Cauſe; and if he diſavow them, then no more to obey their Voice; or, if he approve them, then to obey them, as Men to whom God hath given a Part of the Spirit of their Sovereign. For when Chriſtian Men take not their Chriſtian Sovereign for God's Prophet, they muſt either take their own Dreams for the Prophecy they mean to be governed by, and the Tumour of their own Hearts for the Spirit of God; or they muſt ſuffer themſelves to be led by ſome ſtrange Prince, or by ſome of their Fellow-Subjects, that can bewitch them, by Slander of the Government, into Rebellion, without other Miracle to confirm their Calling, than ſometimes an extraordinary Succeſs and Impunity, and by this means deſtroying all Laws, both divine and human, reduce all Order, Government, and Society, to the firſt Chaos of Violence and civil War.

CHAP. XXXVII.

Of MIRACLES, *and their Uſe.*

A Miracle is a Work that cauſeth Admiration:

BY *Miracles* are ſignified the admirable Works of God, and therefore they are alſo called *Wonders*. And becauſe they are, for the moſt part, done for a Signification of his Commandment, on ſuch Occaſions, as without them, Men are apt to doubt (following their private natural reaſoning) what he hath commanded, and what not, they are commonly in holy Scripture called *Signs*, in the ſame Senſe as they are called by the *Latins*, *Oſtenta*, and *Portenta*, from ſhewing and fore-ſignifying that, which the Almighty is about to bring to paſs.

And muſt therefore be rare, and whereof there is no natural Cauſe known.

To underſtand therefore what is a Miracle, we muſt firſt underſtand what Works they are, which Men wonder at and call admirable. And there be but two Things which make Men wonder at any Event: The one is, if it be ſtrange, that is to ſay, ſuch as the like of it hath never, or very rarely been produced: The other is, if when it is produced, we cannot imagine it to have been done by natural Means, but only by the immediate Hand of God. But when we ſee ſome poſſible, natural Cauſe of it, how rarely ſoever the like has been done; or if the like have been often done, how impoſſible ſoever it be to imagine a natural Means thereof, we no more wonder, nor eſteem it for a Miracle.

Therefore, if a Horſe or Cow ſhould ſpeak, it were a Miracle; becauſe both the Thing is ſtrange, and the natural Cauſe difficult to imagine: So alſo were it, to ſee a ſtrange Deviation of Nature, in the Production of ſome new Shape of a living Creature. But when a Man, or other Animal, engenders his like, though we know no more how this is done than the other, but becauſe 'tis uſual, it is no Miracle. In like manner, if a Man be metamorphoſed into a Stone, or into a Pillar, it is a Miracle, becauſe ſtrange: but if a Piece of Wood be ſo changed, becauſe we ſee it often, it is no Miracle: and yet we know no more, by what Operation of God the one is brought to paſs, than the other.

The firſt Rainbow that was ſeen in the World was a Miracle, becauſe the firſt, and conſequently ſtrange, and ſerved for a Sign from God, placed in Heaven, to aſſure his People, there ſhould be no more an univerſal Deſtruction of the World by Water. But at this Day, becauſe they are frequent, they are not Miracles, neither to them that know their natural Cauſes, nor to them who know them not. Again, there be many rare Works produced by the Art of Man; yet when we know they are done, becauſe thereby we know alſo the Means how they are done, we count them not for Miracles, becauſe not wrought by the immediate Hand of God, but by Mediation of human Induſtry.

That which ſeemeth a Miracle to one Man, may ſeem otherwiſe to another.

Furthermore, ſeeing Admiration and Wonder is conſequent to the Knowledge and Experience wherewith Men are endued, ſome more, ſome leſs; it followeth, that the ſame Thing may be a Miracle to one, and not to another. And thence it is, that ignorant and ſuperſtitious Men make great Wonders of thoſe Works, which other Men, knowing to proceed from Nature, (which is not the immediate, but the ordinary Work of God) admire not at all: As when Eclipſes of the Sun and Moon have been taken for ſupernatural Works, by the common People; when nevertheleſs there were others could, from their natural Cauſes, have foretold the very Hour they ſhould arrive: or, as when a Man, by Confederacy and ſecret Intelligence, getting Knowledge of the private Actions of an ignorant unwary Man, thereby tells him what he has done in former Time, it ſeems to him a miraculous Thing; but amongſt wiſe, and cautious Men, ſuch Miracles as thoſe cannot eaſily be done.

The End of Miracles.

Again, it belongeth to the Nature of a Miracle, that it be wrought for the procuring of Credit to God's Meſſengers, Miniſters, and Prophets, that thereby Men may know they are called, ſent, and employ'd by God, and thereby be the better inclin'd to obey them. And therefore, though the Creation of the World, and after that the Deſtruction of all living Creatures in the univerſal Deluge, were admirable Works; yet becauſe they were not done to procure Credit to any Prophet, or other Miniſter of God, they uſe not to be called Miracles. For how admirable ſoever any Work be, the Admiration conſiſteth not in that it could be done, becauſe Men naturally believe the Almighty can do all things, but becauſe he does it at the Prayer or Word of a Man. But the Works of God in *Egypt*, by the Hand of *Moſes*, were properly Miracles; becauſe they were done with Intention to make the People of *Iſrael* believe that *Moſes* came unto them, not out of any Deſign of his own Intereſt, but as ſent from God. Therefore after God had commanded him to deliver the *Iſraelites* from the *Egyptian* Bondage, when he ſaid, *They will not believe me, but will ſay, the Lord hath not appeared unto me*, God gave him Power to turn the Rod he had in his Hand into a Serpent, and again to return it into a Rod; and by putting his Hand into his Boſom, to make it leprous; and again, by pulling it out, to make it whole, to make the Children of *Iſrael* believe, as it is verſe 5, that the God of their Fathers had appeared unto him: And if that were not enough, he gave him Power to turn their Waters into Blood. And when he had done theſe Miracles before the People, it is ſaid, verſe 31, that *they believed him.* Nevertheleſs, for fear of *Pharaoh*, they durſt not yet obey him. Therefore the other Works which were done to plague *Pharaoh*, and the *Egyptians*, tended all to make the *Iſraelites* believe in *Moſes*, and were properly Miracles. In like manner if we conſider all the Miracles done by the Hand of *Moſes*, and all the reſt of the Prophets, till the Captivity; and thoſe of our Saviour, and his Apoſtles afterwards; we ſhall find, their End was always to beget or confirm Belief, that they came not of their own Motion, but were ſent by God. We may further obſerve in Scripture, that the End of Miracles was to beget Belief, not univerſally in all Men, elect and reprobate, but in the Elect only; that is to ſay, in ſuch as God determined ſhould become his Subjects. For thoſe miraculous Plagues of *Egypt*, had not for End, the Converſion of *Pharaoh*; for God had told *Moſes* before, that he would harden the Heart of *Pharaoh*, that he ſhould not let the People go: And when he let them go at laſt, not the Miracles perſuaded him, but the Plagues forced him to it. So alſo of our Saviour, it is written, *Matth.* xiii. 58. that he wrought not many Miracles in his own Country, becauſe of their Unbelief; and in *Mark* vi. 5. inſtead of, *he wrought not many*, it is, *he could work none*. It was not becauſe he wanted Power; which to ſay, were Blaſphemy againſt God; nor that the End of Miracles, was not to convert incredulous Men to *Chriſt*; for the End of all the Miracles of *Moſes*, of the Prophets, of our Saviour, and of his Apoſtles, was to add Men to the Church; but it was, becauſe the End of their Miracles was to add to the Church, not all Men, but ſuch as ſhould be ſaved; that is to ſay, ſuch as God had elected. Seeing therefore our Saviour was ſent from his Father, he could not uſe his Power in the Converſion of thoſe whom his Father had rejected. They that expounding this Place of St. *Mark*, ſay, that this Word, *he could not*, is put for *he would not*, do it without Example in the *Greek* Tongue, (where *would not* is put ſometimes for *could not*, in Things inanimate, that have no Will; but *could not*, for *would not*, never) and thereby lay a Stumbling-block before weak Chriſtians; as if *Chriſt* could do no Miracles but amongſt the Credulous.

Exod. iv. 1, &c.

From that which I have here ſet down, of the Nature and Uſe of a Miracle, we may define it thus: *A* Miracle *is a Work of God (beſides his Operation by the way of Nature, ordained in the Creation) done, for the making manifeſt to his Elect, the Miſſion of an extraordinary Miniſter for their Salvation.*

The Definition of a Miracle.

And from this Definition we may infer, Firſt, that in all Miracles, the Work done, is not the Effect of any Virtue in the Prophet; becauſe it is the Effect of the immediate Hand of God; that is to ſay, God hath done it, without uſing the Prophet therein, as a ſubordinate Cauſe.

Secondly, that no Devil, Angel, or other created Spirit, can do a Miracle. For it muſt either be by Virtue of ſome natural Science, or by Incantation, that is, Virtue of Words. For if the Inchanters do it by their own Power independent, there is ſome Power that proceedeth not from God; which all Men deny: and if they do it by Power given them, then is the Work not from the immediate Hand of God, but natural, and conſequently no Miracle.

There be ſome Texts of Scripture, that ſeem to attribute the Power of working Wonders (equal to ſome of thoſe immediate Miracles, wrought by God himſelf) to certain Arts of Magic and Incantation. As for Example, when we read that after the Rod of *Moſes* being caſt on the Ground became a Serpent, *the Magicians of Egypt did the like by their Enchantments*; and that after *Moſes* had turned the Waters of the *Egyptian* Streams, Rivers, Ponds and Pools of Water into Blood, *the Magicians of Egypt did ſo likewiſe, with their Enchantments*; and that after *Moſes* had by the Power of God brought Frogs upon the Land, *the Magicians alſo did ſo with their Enchantments, and brought up Frogs upon the Land of Egypt*; will not a Man be apt to attribute Miracles to Enchantments; that is to ſay, to the Efficacy of the Sound of Words; and think the ſame very well proved out of this, and other ſuch Places? and yet there is no Place of Scripture, that telleth us what an Enchantment is. If therefore Enchantment be not, as many think it, a working of ſtrange Effects by Spells, and Words; but Impoſture and Deluſion, wrought by ordinary Means; and ſo far from ſupernatural, as the Impoſtors need not the Study ſo much as of natural Cauſes, but the ordinary Ignorance, Stupidity, and Superſtition of Mankind, to do them; theſe Texts that ſeem to countenance the Power of Magic, Witchcraft, and Enchantment, muſt needs have another Senſe, than at firſt ſight they ſeem to bear.

Exod. vii. 11.
Exod. vii. 22.
Exod. viii. 7.

That Men are apt to be deceived by falſe Miracles.

For it is evident enough, that Words have no Effect, but on thoſe that underſtand them; and then they have no other, but to ſignify the Intentions, or Paſſions of them that ſpeak; and thereby produce Hope, Fear, or other Paſſions or Conceptions in the Hearer. Therefore when a Rod ſeemeth a Serpent, or the Waters Blood, or any other Miracle ſeemeth done by Enchantment; if it be not to the Edification of God's People, not the Rod, nor the Water, nor any other thing is enchanted; that is to ſay, wrought upon by the Words, but the Spectator. So that all the Miracle conſiſteth in this, that the Enchanter has deceived a Man; which is no Miracle, but a very eaſy matter to do.

For ſuch is the Ignorance and Aptitude to Error generally of all Men, but eſpecially of them that have not much Knowledge of natural Cauſes, and of the Nature, and Intereſts of Men; as by innumerable and eaſy Tricks to be abuſed. What Opinion of miraculous Power, before it was known there was a Science of the Courſe of the Stars, might a Man have gained, that ſhould have told the People, This Hour, or Day, the Sun ſhould be darkened? A Juggler by the handling of his Goblets, and other Trinkets, if it were not now ordinarily practiſed, would be thought to do his Wonders by the Power at leaſt of the Devil. A Man that hath practiſed to ſpeak by drawing in of his Breath (which kind of Men in ancient time were called *Ventriloqui)* and ſo make the Weakneſs of his Voice ſeem to proceed, not from the weak Impulſion of the Organs of Speech, but from Diſtance of Place, is able to make very many Men believe it is a Voice from Heaven, whatſoever he pleaſe to tell them. And for a crafty Man, that hath enquired into the Secrets, and familiar Confeſſions that one Man ordinarily maketh to another of his Actions and Adventures paſt, to tell them him again is no hard Matter; and yet there be many, that by ſuch Means as that, obtain the Reputation of being Conjurers. But it is too long a Buſineſs, to reckon up the ſeveral Sorts of thoſe Men, which the *Greeks* called *Thaumaturgi*, that is to ſay, Workers of Things wonderful; and yet theſe do all they do, by their own ſingle Dexterity. But if we look upon the Impoſtures wrought by Confederacy, there is nothing how impoſſible ſoever to be done, that is impoſſible to be believed. For two Men conſpiring, one to ſeem lame, the other to cure him with a Charm, will deceive many: but many conſpiring, one to ſeem lame, another ſo to cure him, and all the reſt to bear Witneſs; will deceive many more.

Cautions againſt the Impoſture of Miracles.

In this Aptitude of Mankind, to give too haſty Belief to pretended Miracles, there can be no better, nor I think any other Caution, than that which God hath preſcribed, firſt by *Moſes*, as I have ſaid before in the precedent Chapter, in the Beginning of the 13th and End of the 18th of *Deuteronomy*; That we take not any for Prophets, that teach any other Religion, than that which God's Lieutenant, which at that time was *Moſes*, hath eſtabliſhed; nor any, though he teach the ſame Religion, whoſe Prediction we do not ſee come to paſs. *Moſes* therefore in his Time, and *Aaron*, and his Succeſſors in their Times, and the Sovereign Governor of God's People, next under God himſelf, that is to ſay, the Head of the Church in all Times, are to be conſulted, what Doctrine he hath eſtabliſhed, before we give Credit to a pretended Miracle, or Prophet. And when that is done, the Thing they pretend to be a Miracle, we muſt both ſee it done, and uſe all Means poſſible to conſider, whether it be really done; and not only ſo, but whether it be ſuch, as no Man can do the like by his natural Power, but that it requires the immediate Hand of God. And in this alſo we muſt have Recourſe to God's Lieutenant, to whom, in all doubtful Caſes, we have ſubmitted our private Judgments. For Example; if a Man pretend, that after certain Words ſpoken over a Piece of Bread, that preſently God hath made it not Bread, but a God, or a Man, or both, and nevertheleſs it looketh ſtill as like Bread as ever it did; there is no Reaſon for any Man to think it really done; nor conſequently to fear him, till he enquire of God, by his Vicar, or Lieutenant, whether it be done, or not. If he ſay not, then followeth that which *Moſes* ſaith, *Deut*. xviii. 22. *He hath ſpoken it preſumptuouſly, thou ſhalt not fear him.* If he ſay it is done, then he is not to contradict it. So alſo if we ſee not, but only hear tell of a Miracle, we are to conſult the lawful Church; that is to ſay, the lawful Head thereof, how far we are to give Credit to the Relaters of it. And this is chiefly the Caſe of Men, that in theſe Days live under Chriſtian Sovereigns. For in theſe Times, I do not know one Man, that ever ſaw any ſuch wondrous Work, done by the Charm, or at the Word or Prayer of a Man, that a Man endued but with a Mediocrity of Reaſon, would think ſupernatural: and the Queſtion is no more, whether what we ſee done, be a Miracle; whether the Miracle we hear, or read of, were a real Work, and not the Act of a Tongue or Pen; but in plain Terms, whether the Report be true, or a Lye. In which Queſtion we are not every one to make our own private Reaſon, or Conſcience, but the public Reaſon, that is, the Reaſon of God's ſupreme Lieutenant, Judge; and indeed we have made him Judge already, if we have given him a Sovereign Power, to do all that is neceſſary for our Peace and Defence. A private Man has always the Liberty, becauſe Thought is free, to believe, or not believe in his Heart, thoſe Acts that have been given out for Miracles, according as he ſhall ſee, what Benefit can accrue by Men's Belief, to thoſe that pretend, or countenance them; and thereby conjecture, whether they be Miracles or Lies. But when it comes to Confeſſion of their Faith, the private Reaſon muſt ſubmit to the public; that is to ſay, to God's Lieutenant. But who is this Lieutenant of God, and Head of the Church, ſhall be conſidered in its proper Place hereafter.

CHAP. XXXVIII.

Of the Signification in Scripture of ETERNAL LIFE, HELL, SALVATION, THE WORLD TO COME, *and* REDEMPTION.

THE Maintenance of Civil Society depending on Juſtice; and Juſtice, or the Power of Life and Death, and other leſs Rewards and Puniſhments, reſiding in them that have the Sovereignty of the Commonwealth; it is impoſſible a Commonwealth ſhould ſtand, where any other than the Sovereign hath a Power of giving greater Rewards than Life; and of inflicting greater Puniſhments than Death. Now ſeeing *eternal Life* is a greater Reward than the *Life preſent*; and *eternal Torment* a greater Puniſhment than the *Death of Nature*; it is a Thing worthy to be well conſidered, of all Men that deſire (by obeying Authority) to avoid the Calamities of Confuſion and Civil War, what is meant in holy Scripture, by *Life eternal*, and *Torment eternal*; and for what Offences, and againſt whom committed, Men are to be *eternally tormented*; and for what Actions they are to obtain *eternal Life*.

The Place of Adam's Eternity if he had not ſinned, had been the terreſtrial Paradiſe.

Gen. iii. 22.

And firſt we find, that *Adam* was created in ſuch a Condition of Life, as had he not broken the Commandment of God, he had enjoyed it in the Paradiſe of *Eden* everlaſtingly. For there was the *Tree of Life*; whereof he was ſo long allowed to eat, as he ſhould forbear to eat of the Tree of Knowledge of Good and Evil; which was not allowed him. And therefore as ſoon as he had eaten of it, God thruſt him out of Paradiſe, *leſt he ſhould put forth his Hand, and take alſo of the Tree of Life, and live for ever.* By which it ſeemeth to me, (with Submiſſion nevertheleſs both in this, and in all Queſtions, whereof the Determination dependeth on the Scriptures, to the Interpretation of the Bible authoriſed by the Commonwealth, whoſe Subject I am) that *Adam*, if he had not ſinned, had had an eternal Life on Earth: and that Mortality entered upon himſelf, and his Poſterity, by his firſt Sin. Not that actual Death then entered; for *Adam* then could never have had Children; whereas he lived long after, and ſaw a numerous Poſterity before he died. But where it is ſaid, *In the Day that thou eateſt thereof, thou ſhalt ſurely die*, it muſt needs be meant of his Mortality and Certitude of Death. Seeing then eternal Life was loſt by *Adam*'s Forfeiture, in committing Sin, he that ſhould cancel that Forfeiture was to recover thereby that Life again. Now Jeſus Chriſt hath ſatiſfied for the Sins of all that believe in him; and therefore recovered to all Believers, that *eternal Life*, which was loſt by the Sin of *Adam*. And in this Senſe it is, that the Compariſon of St. *Paul* holdeth, *Rom.* v. 18, 19. *As by the Offence of one, Judgment came upon all Men to Condemnation, even ſo by the Righteouſneſs of one, the free Gift came upon all Men to Juſtification of Life.* Which is again, 1 *Cor.* xv. 21, 22. more perſpicuouſly delivered in theſe Words, *For ſince by Man came Death, by Man came alſo the Reſurrection of the Dead. For as in Adam all die, even ſo in Chriſt ſhall all be made alive.*

Texts concerning the Place of Life eternal, for Believers.

Concerning the Place wherein Men ſhall enjoy that eternal Life, which Chriſt hath obtained for them, the Texts next before alledged ſeem to make it on Earth. For if, as in *Adam* all die, that is, have forfeited Paradiſe and eternal Life on Earth, even ſo in Chriſt all ſhall be made alive; then all Men ſhall be made to live on Earth; for elſe the Compariſon were not proper. Hereunto ſeemeth to agree that of the Pſalmiſt, *Pſal.* cxxxiii. 3. *Upon Zion God commanded the Bleſſing, even Life for evermore:* for *Zion* is in *Jeruſalem*, upon Earth: as alſo that of St. *John*, *Rev.* ii. 7. *To him that overcometh I will give to eat of the Tree of Life, which is in the midſt of the Paradiſe of God.* This was the Tree of *Adam*'s eternal Life; but his Life was to have been on Earth. The ſame ſeemeth to be confirmed again by St. *John*, *Rev.* xxii. 2. where he ſaith, *I John ſaw the holy City, new Jeruſalem, coming down from God out of Heaven, prepared as a Bride adorned for her Husband:* and again, ver. 10. to the ſame Effect: As if he ſhould ſay, the new *Jeruſalem*, the Paradiſe of God, at the coming again of Chriſt, ſhould come down to God's People from Heaven, and not they go up to it from Earth. And this differs nothing from that, which the two Men in white Clothing (that is, the two Angels) ſaid to the Apoſtles, that were looking upon Chriſt aſcending, *Acts* i. 11. *This ſame Jeſus, who is taken up from you into Heaven, ſhall ſo come, as you have ſeen him go up into Heaven.* Which ſoundeth as if they had ſaid, he ſhould come down to govern them under his Father, eternally here; and not take them up to govern them in Heaven; and is conformable to the Reſtauration of the Kingdom of God, inſtituted under *Moſes*; which was a political Government of the *Jews* on Earth. Again, that Saying of our Saviour, *Mat.* xxii. 30. *That in the Reſurrection they neither marry, nor are given in Marriage, but are as the Angels of God in Heaven,* is a Deſcription of an eternal Life, reſembling that which we loſt in *Adam* in the Point of Marriage. For ſeeing *Adam* and *Eve*, if they had not ſinned, had lived on Earth eternally in their individual Perſons; it is manifeſt, they ſhould not continually have procreated their Kind. For if Immortals ſhould have generated, as Mankind doth now; the Earth in a ſmall Time would not have been able to afford them place to ſtand on. The *Jews* that aſked our Saviour the Queſtion, Whoſe Wife the Woman that married many Brothers, ſhould be in the Reſurrection? knew not what were the Conſequences of Life eternal: and therefore our Saviour puts them in mind of this Conſequence of Immortality; that there ſhall be no Generation, and conſequently no Marriage, no more than there is Marriage or Generation among the Angels. The Compariſon between the eternal Life which *Adam* loſt, and our Saviour by his Victory over Death hath recovered, holdeth alſo in this, that as *Adam* loſt eternal Life by his Sin, and yet lived after it for a time; ſo the faithful Chriſtian hath recovered eternal Life by Chriſt's Paſſion, though he die a natural Death, and remain dead for a Time; namely, till the Reſurrection. For as Death is reckoned from the Condemnation of *Adam*, not from the Execution; ſo Life is reckoned from the Abſolution, not from the Reſurrection of them that are elected in Chriſt.

Aſcenſion into Heaven.

That the Place wherein Men are to live eternally after the Reſurrection, is the Heavens, meaning by Heaven, thoſe Parts of the World, which are the moſt remote from Earth, as where the Stars are, or above the Stars, in another higher Heaven called *Cœlum Empyreum*, (whereof there is no Mention in Scripture, nor Ground in Reaſon) is not eaſily to be drawn from any Text that I can find. By the Kingdom of Heaven, is meant the Kingdom of the King that dwelleth in Heaven; and his Kingdom was the People of *Iſrael*, whom he ruled by the Prophets his Lieutenants, firſt *Moſes*, and after him *Eleazar*, and the Sovereign Prieſts, till in the Days of *Samuel* they rebelled, and would have a mortal Man for their King, after the manner of other Nations. And when our Saviour Chriſt, by the preaching of his Miniſters, ſhall have perſuaded the *Jews* to return, and called the *Gentiles* to his Obedience, then ſhall there be a new Kingdom of Heaven; becauſe our King ſhall then be God, whoſe *Throne* is Heaven; without any Neceſſity evident in the Scripture, that Man ſhall aſcend to his Happineſs any higher than God's *Footſtool* the Earth. On the contrary, we find written, *John* iii. 13. that *no Man hath aſcended into Heaven, but he that came down from Heaven, even the Son of Man, that is in Heaven.* Where I obſerve by the way, that theſe Words are not, as thoſe which go immediately before, the Words of our Saviour, but of St. *John* himſelf; for Chriſt was then not in Heaven, but upon the Earth. The like is ſaid of *David*, *Acts* ii. 34. where St. *Peter*, to prove the Aſcenſion of Chriſt, uſing the Words of the Pſalmiſt, *Pſal.* xvi. 10. *Thou wilt not leave my Soul in Hell, not ſuffer thine Holy One to ſee Corruption*, ſaith, they were ſpoken, not of *David*, but, of Chriſt; and to prove it, addeth this Reaſon, *For David is not aſcended into Heaven.* But to this a Man may eaſily anſwer, and ſay, that though their Bodies were not to aſcend till the general Day of Judgment, yet their Souls were in Heaven as ſoon as they departed from their Bodies; which alſo ſeemeth to be confirmed by the Words of our Saviour, *Luke* xx. 37, 38. who proving the Reſurrection out of the Words of *Moſes*, ſaith thus, *That the Dead are raiſed, even Moſes ſhewed, at the Buſh, when he calleth the Lord, the God of Abraham, and the God of Iſaac, and the God of Jacob. For he is not a God of the Dead, but of the Living; for they all live to him.* But if theſe Words be to be underſtood only of the Immortality of the Soul, they prove not at all that which our Saviour intended to prove, which was the Reſurrection of the Body, that is to ſay, the Immortality of the Man. Therefore our Saviour meaneth, that thoſe Patriarchs were immortal; not by a Property conſequent to the Eſſence, and Nature of Mankind; but by the Will of God, that was pleaſed of his mere Grace, to beſtow *eternal Life* upon the faithful. And though at that time the Patriarchs and many other faithful Men were *dead*, yet as it is in the Text, they *lived to God*; that is, they were written in the Book of Life, with them that were abſolved of their Sins, and ordained to Life eternal at the Reſurrection. That the Soul of Man is in its own Nature eternal, and a living Creature independent on the Body; or that any mere Man is immortal, otherwiſe than by the Reſurrection in the laſt Day, (except *Enoch* and *Elias*,) is a Doctrine not apparent in Scripture. The whole xiv. Chapter of *Job*, which is the Speech not of his Friends, but of himſelf, is a Complaint of this Mortality of Nature; and yet no Contradiction of the Immortality at the Reſurrection. *There is hope of a Tree* (ſaith he, verſe 7.) *if it be caſt down, though the Root thereof wax Old, and the Stock thereof die in the Ground, yet when it ſenteth the Water it will bud, and bring forth Boughs like a Plant. But Man dyeth, and waſteth away, yea, Man giveth up the Ghoſt, and where is he?* And verſe 12. *Man lieth down, and riſeth not, till the Heavens be no more.* But when is it, that the Heavens ſhall be no more? St. *Peter* tells us that it is at the general Reſurrection. For in his 2 Epiſtle, iii. Chapter, and 7 verſe, he ſaith, that *the Heavens and the Earth that are now, are reſerved unto Fire againſt the Day of Judgment, and Perdition of ungodly Men*, and verſe 12. *looking for, and haſting to the coming of God, wherein the Heavens ſhall be on Fire, and ſhall be diſſolved, and the Elements ſhall melt with fervent Heat. Neverthleſs, we according to the Promiſe look for new Heavens, and a new Earth, wherein dwelleth Righteouſneſs.* Therefore where *Job* ſaith, *Man riſeth not till the*

Heavens be no more; it is all one, as if he had ſaid, the immortal Life (and Soul and Life in the Scripture, do uſually ſignify the ſame thing) beginneth not in Man, till the Reſurrection, and Day of Judgment; and hath for Cauſe, not his ſpecifical Nature, and Generation; but the Promiſe. For St. *Peter* ſays not, *We look for new Heavens, and a new Earth, (from Nature)* but *from Promiſe.*

Laſtly, ſeeing it hath been already proved out of divers evident Places of Scripture, in the xxxv. Chapter of this Book, that the Kingdom of God is a Civil Commonwealth, where God himſelf is a Sovereign, by vertue firſt of the *Old*, and ſince of the *New* Covenant, wherein he reigneth by his Vicar, or Lieutenant; the ſame Places do therefore alſo prove, that after the coming again of our Saviour in his Majeſty and Glory, to reign actually, and eternally; the Kingdom of God is to be on Earth. But becauſe this Doctrine (though proved out of Places of Scripture not few, nor obſcure) will appear to moſt Men a Novelty; I do but propound it; maintaining nothing in this, or any other Paradox of Religion; but attending the End of that Diſpute of the Sword, concerning the Authority, not yet amongſt my Countrymen decided, by which all ſorts of Doctrine are to be approved, or rejected; and whoſe Commands, both in Speech and Writing, whatſoever be the Opinions of private Men, muſt by all Men, that mean to be protected by their Laws, be obeyed. For the Points of Doctrine concerning the Kingdom of God, have ſo great Influence on the Kingdom of Man, as not to be determined, but by them, that under God have the Sovereign Power.

The Place after Judgment, of thoſe who were never in the Kingdom of God, or having been in, are caſt out.

As the Kingdom of God, and eternal Life, ſo alſo God's Enemies, and their Torments after Judgment, appear by the Scripture, to have their Place on Earth. The Name of the Place, where all Men remain till the Reſurrection, that were either buried, or ſwallowed up of the Earth, is uſually called in Scripture, by Words that ſignify *under Ground*; which the *Latins* read generally *Infernus*, and *Inferni*, and the *Greeks* ἄδης; that is to ſay, a Place where Men cannot ſee; and containeth as well the Grave, as any other deeper Place. But for the Place of the Damned after the Reſurrection, it is not determined, neither in the Old, nor New Teſtament, by any Note of Situation; but only by the Company: as that it ſhall be, where ſuch wicked Men were, as God in former times in extraordinary, and miraculous manner, had deſtroyed from off the Face of the Earth: As for example, that they are *in Inferno*, in *Tartarus*, or in the bottomleſs Pit; becauſe *Corah*, *Dathan*, and *Abiram*, were ſwallowed up alive into the Earth. Not that the Writers of the Scripture would have us believe, there could be in the Globe of the Earth, which is not only finite, but alſo (compared to the Height of the Stars) of no conſiderable Magnitude, a Pit without a Bottom; that is, a Hole of infinite Depth, ſuch as the *Greeks* in their *Dæmonology* (that is to ſay, in their Doctrine concerning *Dæmons*,) and after them the *Romans*, called *Tartarus*; of which *Virgil* ſays,

Tartarus.

Bis patet in præceps, tantum tenditque ſub umbras,
Quantus ad æthereum cœli ſuſpectus Olympum:

for that is a thing the Proportion of Earth to Heaven cannot bear: but that we ſhould believe them there, indefinitely, where thoſe Men are, on whom God inflicted that exemplary Puniſhment.

The Congregation of Giants.

Again, becauſe thoſe mighty Men of the Earth, that lived in the time of *Noah*, before the Flood, (which the *Greeks* called *Heroes*, and the Scripture *Giants*, and both ſay, were begotten, by Copulation of the Children of God, with the Children of Men,) were for their wicked Life deſtroyed by the general Deluge; the Place of the Damned, is therefore alſo ſometimes marked out, by the Company of thoſe deceaſed

Giants; as *Proverbs* xxi. 16. *The Man that wandereth out of the way of Underſtanding, ſhall remain in the Congregation of the Giants*; and *Job* xxvi. 5. *Behold the Giants groan under Water, and they that dwell with them.* Here the place of the Damned, is under the Water. And *Iſaiah* xiv. 9. *Hell is troubled how to meet thee,* (that is, the Kingdom of *Babylon) and will diſplace the Giants for thee:* and here again the Place of the Damned, if the Senſe be literal, is to be under Water.

Lake of Fire.

Thirdly, becauſe the Cities of *Sodom*, and *Gomorrah*, by the extraordinary Wrath of God, were conſumed for their Wickedneſs with *Fire* and *Brimſtone*, and together with them the Country about made a ſtinking bituminous Lake: the Place of the Damned is ſometimes expreſſed by Fire, and a Fiery Lake: as in the *Apocalypſe* xxi. 8. *But the timorous, incredulous, and abominable, and Murderers, and Whoremongers, and Sorcerers, and Idolaters, and all Lyars, ſhall have their Part in the Lake that burneth with Fire and Brimſtone; which is the ſecond Death.* So that it is manifeſt, that Hell Fire, which is here expreſſed by *Metaphor*, from the real Fire of *Sodom*, ſignifieth not any certain Kind, or Place of Torment; but is to be taken indefinitely, for Deſtruction, as it is in the xx. Chapter, at the 14. verſe, where it is ſaid, that *Death and Hell were caſt into the Lake of Fire*; that is to ſay, were aboliſhed, and deſtroyed; as if after the Day of Judgment, there ſhall be no more Dying, nor no more going into Hell; that is, no more going to *Hades* (from which Word perhaps our Word Hell is derived,) which is the ſame with no more Dying.

Utter Darkneſs.

Fourthly, from the Plague of Darkneſs inflicted on the *Egyptians*, of which it is written *Exod.* x. 23. *They ſaw not one another, neither roſe any Man from his Place for three Days; but all the Children of Iſrael had Light in their Dwellings*; the Place of the Wicked after Judgment, is called *utter Darkneſs*, or (as it is in the Original) *Darkneſs without.* And ſo it is expreſſed, *Mat.* xxii. 13. where the King commandeth his Servants, *to bind Hand and Foot the Man that had not on his Wedding Garment, and to caſt him out,* εἰς τὸ σκότος τὸ ἐξώτερον, *External Darkneſs,* or *Darkneſs without:* which though tranſlated *utter Darkneſs*, does not ſignify *how great*, but *where* that Darkneſs is to be; namely, *without the Habitation* of God's Elect.

Gehenna, and Tophet.

Laſtly, whereas there was a Place near *Jeruſalem*, called the *Valley of the Children of Hinnon*; in a Part whereof, called *Tophet*, the *Jews* had committed moſt grievous Idolatry, ſacrificing their Children to the Idol *Moloch*; and wherein alſo God had afflicted his Enemies with moſt grievous Puniſhments; and wherein *Joſiah* had burnt the Prieſts of *Moloch* upon their own Altars, as appeareth at large in 2 *Kings* chap. xxiii. the Place ſerved afterwards, to receive the Filth and Garbage which was carried thither out of the City; and there uſed to be Fires made, from time to time, to purify the Air, and take away the Stench of Carrion. From this abominable Place, the *Jews* uſed ever after to call the Place of the Damned, by the Name of *Gehenna*, or *Valley of Hinnon*. And this *Gehenna*, is that Word, which is uſually now tranſlated *Hell*; and from the Fires from time to time there burning, we have the notion of *everlaſting*, and *unquenchable Fire*.

Of the literal Senſe of the Scripture concerning Hell.

Seeing now there is none, that ſo interprets the Scripture, as that after the Day of Judgment, the Wicked are all eternally to be puniſhed in the Valley of *Hinnon*; or that they ſhall ſo riſe again, as to be ever after under Ground, or under Water; or that after the Reſurrection, they ſhall no more ſee one another; nor ſtir from one Place to another; it followeth, methinks, very neceſſarily, that that which is thus ſaid concerning Hell Fire, is ſpoken metaphorically; and that therefore there is a proper Senſe to be enquired after, (for of all Metaphors there is ſome real ground, that may be expreſſed in proper Words) both of the *Place* of *Hell*, and the nature of *Helliſh Torments*, and *Tormentors*.

Satan, Devil, not proper Names, but Appellatives.

And firſt for the Tormentors, we have their Nature, and Properties, exactly and properly delivered by the Names of, *The Enemy*, or *Satan*; *The Accuſer*, or *Diabolus*; *The Deſtroyer, or Abaddon.* Which ſignificant Names, *Satan*, *Devil*, *Abaddon*, ſet not forth to us any individual Perſon, as proper Names uſe to do; but only an Office, or Quality; and are therefore Appellatives; which ought not to have been left untranſlated, as they are, in the *Latin*, and modern Bibles; becauſe thereby they ſeem to be the proper Names of *Dæmons*; and Men are the more eaſily ſeduced to believe the Doctrine of *Devils*; which at that time was the Religion of the *Gentiles*, and contrary to that of *Moſes*, and of *Chriſt*.

And, becauſe, by the *Enemy*, the *Accuſer*, and *Deſtroyer*, is meant, the Enemy of them that ſhall be in the Kingdom of God; therefore if the Kingdom of God after the Reſurrection, be upon the Earth, (as in the former Chapter I have ſhewn by Scripture it ſeems to be,) the Enemy, and his Kingdom muſt be on Earth alſo. For ſo alſo was it, in the time before the *Jews* had depoſed God. For God's Kingdom was in *Paleſtine*; and the Nations round about were the Kingdoms of the Enemy; and conſequently by *Satan*, is meant an Earthly Enemy of the Church.

Torments of Hell.

The Torments of Hell, are expreſſed ſometimes, by *Weeping, and Gnaſhing of Teeth*, as *Mat.* viii. 12. Sometimes, by *the Worm of Conſcience*; as *Iſa.* lxvi. 24. and *Mark* ix. 44, 46, 48. ſometimes, by *Fire*, as in the Place now quoted, *where the Worm dyeth not, and the Fire is not quenched*, and many Places beſide: ſometimes, by *Shame and Contempt*, as *Dan.* xii. 2. *And many of them that ſleep in the Duſt of the Earth, ſhall awake; ſome to everlaſting Life; and ſome to Shame, and everlaſting Contempt.* All which Places deſign metaphorically a Grief, and Diſcontent of Mind, from the Sight of that eternal Felicity in others, which they themſelves, through their own Incredulity and Diſobedience, have loſt. And becauſe ſuch Felicity in others, is not ſenſible but by compariſon with their own actual Miſeries; it followeth that they are to ſuffer ſuch bodily Pains, and Calamities, as are incident to thoſe, who not only live under evil and cruel Governors, but have alſo for Enemy, the Eternal King of the Saints, God Almighty. And amongſt theſe bodily Pains, is to be reckoned alſo to every one of the Wicked, a ſecond Death. For though the Scripture be clear for an univerſal Reſurrection; yet we do not read, that to any of the Reprobate is promiſed an eternal Life. For whereas St. *Paul*, 1 *Cor.* xv. 42, 43. to the Queſtion concerning what Bodies Men ſhall riſe with again, ſaith, that *the Body is ſown in Corruption, and is raiſed in Incorruption*; *it is ſown in Diſhonour, it is raiſed in Glory*; *it is ſown in Weakneſs, it is raiſed in Power*; Glory and Power cannot be applied to the Bodies of the Wicked: Nor can the Name of *ſecond Death*, be applied to thoſe that can never die but once: And although in metaphorical Speech, a calamitous Life everlaſting, may be called an everlaſting Death, yet it cannot well be underſtood of a *Second Death*. The Fire prepared for the Wicked, is an everlaſting Fire; that is to ſay, the Eſtate wherein no Man can be without Torture, both of Body and Mind, after the Reſurrection, ſhall endure for ever; and in that Senſe the Fire ſhall be unquenchable, and the Torments everlaſting: but it cannot thence be inferred, that he who ſhall be caſt into that Fire, or be tormented with thoſe Torments, ſhall endure, and reſiſt them ſo, as to be eternally burnt, and tortured, and yet never deſtroyed, nor die. And though there be many Places that affirm everlaſting Fire, and Torments, (into which Men may be caſt ſucceſſively one after another for ever); yet I find none that affirm there ſhall be an eternal Life therein of any individual Perſon; but to the contrary, an everlaſting Death, which is the ſecond Death: *For after Death and the Grave ſhall have delivered up the Dead which were in them, and every Man be judged according to his Works; Death and the Grave ſhall alſo be caſt into the Lake of Fire. This is the ſecond Death.* Whereby it is evident, that there is to be a ſecond Death of every one that ſhall be condemned at the Day of Judgment, after which he ſhall die no more.

Apoc. xx. 13, 14.

The Joys of Life eternal, and Salvation, the ſame Thing.

The Joys of Life eternal, are in Scripture comprehended all under the Name of *Salvation*, or *being ſaved*. To be ſaved, is to be ſecured, either reſpectively, againſt ſpecial Evils, or abſolutely, againſt all Evil; comprehending Want, Sickneſs, and Death itſelf. And becauſe Man was created in a Condition immortal, not ſubject to Corruption, and conſequently to nothing that tendeth to the Diſſolution of his Nature; and fell from that Happineſs by the Sin of *Adam*; it followeth, that to be *ſaved* from Sin, is to be ſaved from all the Evil and Calamities that Sin hath brought upon us. And therefore in the holy Scripture, Remiſſion of Sin, and Salvation from Death and Miſery, is the ſame thing; as it appears by the Words of our Saviour, who having cured a Man ſick of the Palſy, by ſaying, *Matth.* ix. 2. *Son, be of good Cheer, thy Sins be forgiven thee*; and knowing that the Scribes took for Blaſphemy, that a Man ſhould pretend to forgive Sins, aſked them, verſe 5. *Whether it were eaſier to ſay, Thy Sins be forgiven thee, or, Ariſe and walk?* ſignifying thereby, that it was all one, as to the ſaving of the Sick, to ſay, *Thy Sins are forgiven*, and *Ariſe and walk*; and that he uſed that Form of Speech, only to ſhew he had Power to forgive Sins. And it is beſides evident in Reaſon, that ſince Death and Miſery were the Puniſhments of Sin, the Diſcharge of Sin muſt alſo be a Diſcharge of Death and Miſery; that is to ſay, Salvation abſolute, ſuch as the Faithful are to enjoy after the Day of Judgment, by the Power and Favour of *Jeſus Chriſt*, who for that Cauſe is called our *Saviour*.

Salvation from Sin, and from Miſery, all one.

Concerning particular Salvations, ſuch as are underſtood, 1 *Sam.* xiv. 39. *As the Lord liveth that ſaveth Iſrael*, that is, from their temporary Enemies; and 2 *Sam.* xxii. 4. *Thou art my Saviour, thou ſaveſt me from Violence*; and 2 *Kings* xiii. 5. *God gave the Iſraelites a Saviour, and ſo they were delivered from the Hand of the Aſſyrians*, and the like; I need ſay nothing; there being neither Difficulty nor Intereſt, to corrupt the Interpretation of Texts of that Kind.

The Place of eternal Salvation.

But concerning the general Salvation, becauſe it muſt be in the Kingdom of Heaven, there is great Difficulty concerning the Place. On one ſide, by *Kingdom* (which is an Eſtate ordained by Men for their perpetual Security againſt their Enemies and Want) it ſeemeth that this Salvation ſhould be on Earth. For by Salvation is ſet forth unto us, a glorious Reign of our King, by Conqueſt; not a Safety, by Eſcape: and therefore there where we look for Salvation, we muſt look alſo for Triumph; and before Triumph, for Victory; and before Victory, for Battle; which cannot well be ſuppoſed, ſhall be in Heaven. But how good ſoever this Reaſon may be, I will not truſt to it, without very evident Places of Scripture. The State of Salvation is deſcribed at large, *Iſaiah* xxxiii. 20, 21, 22, 23, 24.

Look upon Zion, the City of our Solemnities; thine Eyes ſhall ſee Jeruſalem a quiet Habitation, a Tabernacle that ſhall not be taken down; not one of the Stakes thereof ſhall ever be removed, neither ſhall any of the Cords thereof be broken.

But there the glorious Lord will be unto us a Place of broad Rivers, and Streams; wherein ſhall go no Gally with Oars, neither gallant Ship paſs thereby.

For the Lord is our Judge, the Lord is our Lawgiver, the Lord is our King, he will ſave us.

Thy Tacklings are looſed; they could not well ſtrengthen their Maſt; they could not ſpread the Sail: then is the Prey of a great Spoil divided; the Lame take the Prey.

And the Inhabitant ſhall not ſay, I am ſick; the People that ſhall dwell therein ſhall be forgiven their Iniquity.

In which Words we have the Place from whence Salvation is to proceed, *Jeruſalem, a quiet Habitation*; the Eternity of it, *a Tabernacle that ſhall not be taken down*, &c. the Saviour of it, *the Lord, their Judge, their Lawgiver, their King, he will ſave us*; the Salvation, *the Lord ſhall be unto them as a broad Mote of ſwift Waters*, &c. the Condition of their Enemies, *their Tacklings are looſe, their Maſts weak, the Lame ſhall take the Spoil of them*; the Condition of the Saved, *The Inhabitant ſhall not ſay, I am ſick:* and laſtly, all this is comprehended in Forgiveneſs of Sin, *The People that dwell there ſhall be forgiven their Iniquity.* By which it is evident, that Salvation ſhall be on Earth, then, when God ſhall reign (at the Coming again of *Chriſt*) in *Jeruſalem*; and from *Jeruſalem* ſhall proceed the Salvation of the *Gentiles* that ſhall be received into God's Kingdom: as is alſo more expreſly declared by the ſame Prophet, Chap. lxv. 20, 21. *And they* (that is, the *Gentiles* who had any *Jew* in Bondage) *ſhall bring all your Brethren, for an Offering to the Lord, out of all Nations, upon Horſes, and in Chariots, and in Litters, and upon Mules, and upon ſwift Beaſts, to my holy Mountain, Jeruſalem, ſaith the Lord; as the Children of Iſrael bring an Offering in a clean Veſſel in the Houſe of the Lord. And I will alſo take of them for Prieſts and for Levites, ſaith the Lord:* Whereby it is manifeſt, that the chief Seat of God's Kingdom (which is the Place from whence the Salvation of us that were *Gentiles*, ſhall proceed) ſhall be in *Jeruſalem:* And the ſame is alſo confirmed by our Saviour, in his Diſcourſe with the Woman of *Samaria*, concerning the Place of God's Worſhip; to whom he ſaith, *John* iv. 22. that the *Samaritans* worſhipped they knew not what, but the *Jews* worſhip what they knew, *For Salvation is of the Jews (ex Judæis*, that is, begins at the *Jews:)* as if he ſhould ſay, You worſhip God, but know not by whom he will ſave you, as we do, that know it ſhall be by one of the Tribe of *Judah*, a *Jew*, not a *Samaritan*. And therefore alſo the Woman not impertinently anſwered him again, *We know the Meſſias ſhall come.* So that which our Saviour ſaith, *Salvation is from the Jews*, is the ſame that *Paul* ſays, *Rom.* i. 16, 17. *The Goſpel is the Power of God to Salvation to every one that believeth: To the Jew firſt, and alſo to the Greek. For therein is the Righteouſneſs of God revealed from Faith to Faith*; from the Faith of the *Jew* to the Faith of the *Gentile*. In the like Senſe the Prophet *Joel* deſcribing the Day of Judgment, Chap. ii. 30, 31. that God would *ſhew Wonders in Heaven, and in Earth, Blood, Fire, and Pillars of Smoke. The Sun ſhall be turned to Darkneſs, and the Moon into Blood, before the great and terrible Day of the Lord come*; he addeth, verſe 32. *and it ſhall come to paſs, that whoſoever ſhall call upon the Name of the Lord, ſhall be ſaved. For in Mount Zion and in Jeruſalem, ſhall be Salvation.* And *Obadiah*, verſe 17. ſaith the ſame, *Upon Mount Zion ſhall be Deliverance; and there ſhall be Holineſs, and the Houſe of Jacob ſhall poſſeſs their Poſſeſſions*; that is, the Poſſeſſions of the *Heathen*; which *Poſſeſſions* he expreſſeth more particularly in the following Verſes, by the *Mount of Eſau*, the *Land of the Philiſtines*, the *Fields of Ephraim*, of *Samaria, Gilead*, and the *Cities of the South*, and concludes with theſe Words, *the Kingdom ſhall be the Lord's.* All theſe Places ſhall be for

Salvation, and the Kingdom of God, after the Day of Judgment, upon Earth. On the other ſide, I have not found any Text that can probably be drawn to prove any Aſcenſion of the Saints into Heaven; that is to ſay, into any *Cælum Empyreum*, or other ætherial Region; ſaving, that it is called the Kingdom of Heaven: which Name it may have, becauſe God, that was King of the *Jews*, governed them by his Commands, ſent to *Moſes* by Angels from Heaven; and after their Revolt, ſent his Son from Heaven, to reduce them to their Obedience; and ſhall ſend him thence again, to rule both them and all other faithful Men, from the Day of Judgment, everlaſtingly: or from that, that the Throne of this our Great King is in Heaven; whereas the Earth is but his Footſtool. But that the Subjects of God ſhould have any Place as high as his Throne, or higher than his Footſtool, it ſeemeth not ſuitable to the Dignity of a King, nor can I find any evident Text for it in holy Scripture.

From this that hath been ſaid of the Kingdom of God, and of Salvation, it is not hard to interpret what is meant by the *World to come*. There are three Worlds mentioned in Scripture, the *old World*, the *preſent World*, and the *World to come*. Of the firſt, St. *Peter* ſpeaks, 2 Pet. ii. 5. *If God ſpared not the old World, but ſaved Noah the eighth Perſon, a Preacher of Righteouſneſs, bringing the Flood upon the World of the Ungodly*, &c. So the *firſt World*, was from *Adam* to the general Flood. Of the preſent World our Saviour ſpeaks, *John* xviii. 36. *My Kingdom is not of this World*. For he came only to teach Men the Way of Salvation, and to renew the Kingdom of his Father, by his Doctrine. Of 2 Pet. iii. 13. the World to come, St. *Peter* ſpeaks, *Nevertheleſs we, according to his Promiſe, look for new Heavens and a new Earth*. This is that *World*, wherein Chriſt coming down from Heaven, in the Clouds, with great Power and Glory, ſhall ſend his Angels, and ſhall gather together his Elect, from the four Winds, and from the uttermoſt Parts of the Earth, and thenceforth reign over them, under his Father, everlaſtingly.

Redemption. *Salvation* of a Sinner ſuppoſeth a precedent *Redemption*; for he that is once guilty of Sin, is obnoxious to the Penalty of the ſame; and muſt pay (or ſome other for him) ſuch Ranſom, as he that is offended, and has him in his Power, ſhall require. And ſeeing the Perſon offended is God Almighty, in whoſe Power are all things; ſuch Ranſom is to be paid before Salvation can be acquired, as God hath been pleaſed to require. By this Ranſom is not intended a Satisfaction for Sin, equivalent to the Offence; which no Sinner for himſelf, nor righteous Man can ever be able to make for another: The Damage a Man does to another, he may make Amends for by Reſtitution or Recompence, but Sin cannot be taken away by Recompence; for that were to make the Liberty to ſin, a Thing vendible. But Sins may be pardoned to the Repentant, either *gratis*, or upon ſuch Penalty as God is pleaſed to accept. That which God uſually accepted in the Old Teſtament, was ſome Sacrifice or Oblation. To forgive Sin is not an Act of Injuſtice, though the Puniſhment have been threatened. Even amongſt Men, though the Promiſe of Good bind the Promiſer; yet Threats, that is to ſay, Promiſes of Evil, bind them not; much leſs ſhall they bind God, who is infinitely more merciful than Men. Our Saviour Chriſt therefore to *redeem* us, did not in that Senſe ſatisfy for the Sins of Men, as that his Death, of its own Virtue, could make it unjuſt in God to puniſh Sinners with eternal Death; but did make that Sacrifice and Oblation of himſelf, at his firſt Coming, which God was pleaſed to require, for the Salvation at his ſecond Coming, of ſuch, as in the mean time ſhould repent and believe in him. And though this Act of our *Redemption*

tion be not always in Scripture called a *Sacrifice* and *Oblation*, but ſometimes a *Price*; yet by *Price* we are not to underſtand any thing, by the Value whereof he could claim Right to a Pardon for us, from his offended Father; but that Price which God the Father was pleaſed in Mercy to demand.

CHAP. XXXIX.

Of the Signification in Scripture of the Word CHURCH.

Church, the Lord's Houſe.

THE Word *Church (Eccleſia)* ſignifieth in the Books of Holy Scripture divers Things. Sometimes, tho' not often, it is taken for *God's Houſe*, that is to ſay, for a Temple, wherein Chriſtians aſſemble to perform holy Duties publicly; as, 1 *Cor*. xiv. 34. *Let your Women keep Silence in the Churches:* but this is metaphorically put for the Congregation there aſſembled; and hath been ſince uſed for the Edifice itſelf, to diſtinguiſh between the Temples of Chriſtians, and Idolaters. The Temple of *Jeruſalem* was *God's Houſe*, and the Houſe of Prayer; and ſo is any Edifice dedicated by Chriſtians to the Worſhip of Chriſt, *Chriſt's Houſe:* and therefore the *Greek* Fathers call it Κυριακὴ, *the Lord's Houſe*; and thence, in our Language it came to be called *Kirk*, and *Church*.

Eccleſia, properly what.

Church (when not taken for a Houſe) ſignifieth the ſame that *Eccleſia* ſignified in the *Grecian* Commonwealths; that is to ſay, a Congregation, or an Aſſembly of Citizens, called forth, to hear the Magiſtrate ſpeak unto them; and which in the Commonwealth of *Rome* was called *Concio*, as he that ſpake was called *Eccleſiaſtes*, and *Concionator*. And when they were called forth by lawful Authority, it was *Eccleſia legitima*, a *lawful Church*, ἔννομος Εκκλησία. But when they were excited by tumultuous and ſeditious Clamour, then it was a confuſed Church, Εκκλησία συγκεχυμένη.

Acts xix. 39.

It is taken alſo ſometimes for the Men that have Right to be of the Congregation, though not actually aſſembled; that is to ſay, for the whole Multitude of Chriſtian Men, how far ſoever they be diſperſed: as, *Acts* viii. 3. where it is ſaid, that *Saul made Havock of the Church:* And in this Senſe is *Chriſt* ſaid to be Head of the Church. And ſometimes for a certain Part of Chriſtians, as *Col*. iv. 15. *Salute the Church that is in his Houſe*. Sometimes alſo for the Elect only; as *Epheſ*. v. 27. *A glorious Church, without Spot, or Wrinkle, holy, and without Blemiſh*; which is meant of the *Church triumphant*, or *Church to come*. Sometimes, for a Congregation aſſembled, of Profeſſors of Chriſtianity, whether their Profeſſion be true or counterfeit, as it is underſtood, *Mat*. xviii. 17. where it is ſaid, *Tell it to the Church, and if he neglect to hear the Church, let him be to thee as a Gentile, or Publican*.

In what Senſe the Church is one Perſon.

And in this laſt Senſe only it is that the *Church* can be taken for one Perſon, that is to ſay, that it can be ſaid to have Power to will, to pronounce, to command, to be obeyed, to make Laws, or to do any other Action whatſoever: For without Authority from a lawful Congregation, whatſoever Act be done in a Concourſe of People, it is the particular Act of every one of thoſe that were preſent, and gave their Aid to the Performance of it; and not the Act of them all in groſs, as of one Body; much leſs the Act of them that were abſent, or that being preſent, were not willing it ſhould be done. According to this Senſe, I define a *Church* to be, *a Company of Men profeſſing Chriſtian Religion, united in the Per-*

Church defined.

ſon of one Sovereign; *at whoſe Command they ought to aſſemble, and without whoſe Authority they ought not to aſſemble.* And becauſe in all Commonwealths, that Aſſembly which is without Warrant from the Civil Sovereign, is unlawful; that Church alſo, which is aſſembled in any Commonwealth that hath forbidden them to aſſemble, is an unlawful Aſſembly.

A Chriſtian Commonwealth, and a Church, all one.

It followeth alſo, that there is on Earth, no ſuch univerſal Church, as all Chriſtians are bound to obey; becauſe there is no Power on Earth, to which all other Commonwealths are ſubject: There are Chriſtians, in the Dominions of ſeveral Princes and States; but every one of them is ſubject to that Commonwealth, whereof he himſelf is a Member; and conſequently cannot be ſubject to the Commands of any other Perſon. And therefore a Church, ſuch a one as is capable to command, to judge, abſolve, condemn, or do any other Act, is the ſame thing with a Civil Commonwealth, conſiſting of Chriſtian Men; and is called a *Civil State*, for that the Subjects of it are *Men*; and a *Church*, for that the Subjects thereof are *Chriſtians*. *Temporal* and *Spiritual* Government are but two Words brought into the World, to make Men ſee double, and miſtake their *lawful Sovereign*. It is true, that the Bodies of the Faithful, after the Reſurrection, ſhall be not only ſpiritual, but eternal: but in this Life they are groſs and corruptible. There is therefore no other Government in this Life, neither of State, nor Religion, but temporal; nor teaching of any Doctrine, lawful to any Subject, which the Governor both of the State, and of the Religion, forbiddeth to be taught: And that Governor muſt be one; or elſe there muſt needs follow Faction, and Civil War in the Commonwealth, between the *Church* and *State*; between *Spiritualiſts* and *Temporaliſts*; between the *Sword of Juſtice*, and the *Shield of Faith*; and, which is more, in every Chriſtian Man's own Breaſt, between the *Chriſtian* and the *Man*. The Doctors of the Church, are called Paſtors; ſo alſo are Civil Sovereigns: But if Paſtors be not ſubordinate one to another, ſo as that there may be one chief Paſtor, Men will be taught contrary Doctrines, whereof both *may* be, and one *muſt* be falſe. Who that one Paſtor is, according to the Law of Nature, hath been already ſhewn; namely, that it is the Civil Sovereign: And to whom the Scripture hath aſſigned that Office, we ſhall ſee in the Chapters following.

CHAP. XL.

Of the RIGHTS *of the Kingdom of God, in* Abraham, Moſes, *the* High Prieſts, *and the* Kings *of* Judah.

The Sovereign Right of Abraham.

THE Father of the Faithful, and firſt in the Kingdom of God by Covenant, was *Abraham*. For with him was the Covenant firſt made; wherein he obliged himſelf, and his Seed after him, to acknowledge and obey the Commands of God; not only ſuch, as he could take notice of, as Moral Laws, by the Light of Nature; but alſo ſuch, as God ſhould in ſpecial manner deliver to him by Dreams and Viſions. For as to the Moral Law, they were already obliged, and needed not have been contracted withal, by Promiſe of the Land of *Canaan*. Nor was there any Contract, that could add to, or ſtrengthen the Obligation, by which both they, and all Men elſe, were bound naturally to obey God Almighty: And therefore the Covenant which *Abraham* made with God, was to take for the Commandment of God, that which in the Name of God was commanded him, in a Dream or Viſion; and to deliver it to his Family, and cauſe them to obſerve the ſame.

In this Contract of God with *Abraham*, we may obſerve three Points of important Conſequence in the Government of God's People. Firſt, that at the making of this Covenant, God ſpake only to *Abraham*; and therefore contracted not with any of his Family, or Seed, otherwiſe than as their Wills (which make the Eſſence of all Covenants) were before the Contract involved in the Will of *Abraham*; who was therefore ſuppoſed to have had a lawful Power, to make them perform all he covenanted for them. According whereunto, *Gen.* xviii. 18, 19. God ſaith, *All the Nations of the Earth ſhall be bleſſed in him, for I know him that he will command his Children, and his Houſhold after him, and they ſhall keep the Way the Lord.* From whence may be concluded this firſt Point, that they to whom God hath not ſpoken immediately, are to receive the poſitive Commandments of God from their Sovereign; as the Family and Seed of *Abraham* did from *Abraham* their Father, and Lord, and Civil Sovereign. And conſequently in every Commonwealth, they who have no ſupernatural Revelation to the contrary, ought to obey the Laws of their own Sovereign, in the external Acts and Profeſſion of Religion. As for the inward *Thought* and *Belief* of Men, which human Governors can take no Notice of, (for God only knoweth the Heart) they are not voluntary, nor the Effect of the Laws, but of the unrevealed Will, and of the Power of God; and conſequently fall not under Obligation.

Abraham had the ſole Power of ordering the Religion of his own People.

From whence proceedeth another Point, that it was not unlawful for *Abraham*, when any of his Subjects ſhould pretend private Viſion, or Spirit, or other Revelation from God, for the countenancing any Doctrine which *Abraham* ſhould forbid, or when they followed, or adhered to any ſuch Pretender, to puniſh them; and conſequently that it is lawful now for the Sovereign to puniſh any Man that ſhall oppoſe his private Spirit againſt the Laws: For he hath the ſame Place in the Commonwealth, that *Abraham* had in his own Family.

No Pretence of private Spirit againſt the Religion of Abraham.

There ariſeth alſo from the ſame, a third Point; that as none but *Abraham* in his Family, ſo none but the Sovereign in a Chriſtian Commonwealth, can take notice what is, or what is not the Word of God. For God ſpake only to *Abraham*; and it was he only, that was able to know what God ſaid, and to interpret the ſame to his Family: And therefore alſo, they that have the Place of *Abraham* in a Commonwealth, are the only Interpreters of what God hath ſpoken.

Abraham ſole Judge, and Interpreter of what God ſpake.

The ſame Covenant was renewed with *Iſaac*, and afterwards with *Jacob*, but afterwards no more, till the *Iſraelites* were freed from the *Egyptians*, and arrived at the Foot of Mount *Sinai*: and then it was renewed by *Moſes* (as I have ſaid before, Chap. xxxv.) in ſuch Manner, as they became from that Time forward the peculiar Kingdom of God; whoſe Lieutenant was *Moſes*, for his own Time; and the Succeſſion to that Office was ſettled upon *Aaron*, and his Heirs after him, to be to God a ſacerdotal Kingdom for ever.

The Authority of Moſes whereon grounded.

By this Conſtitution, a Kingdom is acquired to God. But ſeeing *Moſes* had no Authority to govern the *Iſraelites*, as a Succeſſor to the Right of *Abraham*, becauſe he could not claim it by Inheritance; it appeareth not as yet, that the People were obliged to take him for God's Lieutenant, longer than they believed that God ſpake unto him. And therefore his Authority (notwithſtanding the Covenant they made with God) depended yet merely upon the Opinion they had of his Sanctity, and of the Reality of his Conferences with God, and the Verity of his Miracles; which Opinion coming to change, they were no more obliged to take any thing for the Law of God, which he propounded to them in God's Name. We are therefore to conſider, what other Ground there was of their Obligation to obey him. For it could not be the Commandment of God that could oblige them; becauſe God ſpake not to them immediately, but by the Mediation of *Moſes* himſelf: And our Saviour ſaith of himſelf, *If I bear Witneſs of myſelf, my Witneſs is not true*; much leſs if *Moſes* bear Witneſs of himſelf (eſpecially in a Claim of kingly Power over God's People) ought his Teſtimony to be received. His Authority therefore, as the Authority of all other Princes, muſt be grounded on the Conſent of his People, and their Promiſe to obey him. And ſo it was: For *the People*, *Exod.* xx. 18. *when they ſaw the Thunderings, and the Lightnings, and the Noiſe of the Trumpet, and the Mountain ſmoaking, removed, and ſtood afar off. And they ſaid unto Moſes, Speak thou with us, and we will hear, but let not God ſpeak with us leſt we die.* Here was the Promiſe of Obedience, and by this it was they obliged themſelves to obey whatſoever he ſhould deliver unto them for the Commandment of God.

John v. 31.

Moſes was, under God, Sovereign of the Jews, all his own Time, tho' Aaron had the Prieſthood.

And notwithſtanding the Covenant conſtituteth a ſacerdotal Kingdom, that is to ſay, a Kingdom hereditary to *Aaron*; yet that is to be underſtood of the Succeſſion, after *Moſes* ſhould be dead. For whoſoever ordereth, and eſtabliſheth the Policy, as firſt Founder of a Commonwealth (be it Monarchy, Ariſtocracy, or Democracy) muſt needs have Sovereign Power over the People all the while he is doing of it. And that *Moſes* had that Power all his own Time, is evidently affirmed in the Scripture. Firſt, in the Text laſt before cited, becauſe the People promiſed Obedience, not to *Aaron*, but to him. Secondly, *Exod.* xxiv. 1, 2. *And God ſaid unto Moſes, Come up unto the Lord, thou, and Aaron, Nadab and Abihu, and ſeventy of the Elders of Iſrael. And Moſes alone ſhall come near the Lord, but they ſhall not come nigh, neither ſhall the People go up with him.* By which it is plain, that *Moſes* who was alone called up to God (and not *Aaron*, nor the other Prieſts, nor the Seventy Elders, nor the People who were forbidden to come up) was alone he, that repreſented to the *Iſraelites* the Perſon of God; that is to ſay, was their ſole Sovereign under God. And though afterwards it be ſaid, verſe 9. *Then went up Moſes, and Aaron, Nadab and Abihu, and ſeventy of the Elders of Iſrael, and they ſaw the God of Iſrael, and there was under his Feet, as it were a paved Work of a Saphire Stone*, &c. yet this was not till after *Moſes* had been with God before, and had brought to the People the Words which God had ſaid to him. He only went for the Buſineſs of the People; the others, as the Nobles of his Retinue, were admitted for Honour to that ſpecial Grace, which was not allowed to the People; which was, as in the Verſe after appeareth, to ſee God and live. *God laid not his Hand upon them, they ſaw God, and did eat and drink*; that is, did live, but did not carry any Commandment from him to the People. Again, it is every where ſaid, *The Lord ſpake unto Moſes*, as in all other Occaſions of Government, ſo alſo in the ordering of the Ceremonies of Religion, contained in the xxv, xxvi, xxvii, xxviii, xxix, xxx, and xxxi Chapters of *Exodus*, and throughout *Leviticus*: to *Aaron* ſeldom. The Calf that *Aaron* made, *Moſes* threw into the Fire. Laſtly, the Queſtion of the Authority of *Aaron*, by Occaſion of his and *Miriam*'s Mutiny againſt *Moſes*, was, *Numb.* xii. judged by God himſelf for *Moſes*. So alſo in the Queſtion between *Moſes* and the People, Who had the Right of governing the People, when *Corah*, *Dathan*, and *Abiram*, and two hundred and fifty Princes of the Aſſembly *gathered themſelves together*, Numb. xvi. 3. *againſt Moſes, and againſt Aaron, and ſaid unto them, Ye take too much upon you, ſeeing all the Congregation are holy, every one of them, and the Lord is amongſt them, why lift you up yourſelves above the Congregation of the Lord?* God cauſed the Earth to ſwallow *Corah, Dathan,* and *Abiram,* with their Wives and Children, alive, and conſumed thoſe two hundred and fifty Princes with Fire. Therefore neither *Aaron,* nor the People, nor any Ariſtocracy of the chief Princes of the People, but *Moſes* alone, had next under God the Sovereignty over the *Iſraelites*; and that not only in Cauſes of Civil Policy, but alſo of Religion: For *Moſes* only ſpake with God, and therefore only could tell the People, what it was that God required at their Hands. No Man upon Pain of Death might be ſo preſumptuous as to approach the Mountain where God talked with *Moſes. Thou ſhalt ſet Bounds* (ſaith the Lord, *Exod.* xix. 12.) *to the People round about, and ſay, Take Heed to yourſelves that you go not up into the Mount, or touch the Border of it; whoſoever toucheth the Mount ſhall ſurely be put to Death.* And again, ver. 21. *Go down, charge the People, leſt they break through unto the Lord to gaze.* Out of which we may conclude, that whoſoever in a Chriſtian Commonwealth holdeth the Place of *Moſes,* is the ſole Meſſenger of God, and Interpreter of his Commandments. And according hereunto, no Man ought in the Interpretation of the Scripture, to proceed further than the Bounds which are ſet by their ſeveral Sovereigns. For the Scriptures, ſince God now ſpeaketh in them, are the Mount *Sinai*; the Bounds whereof are the Laws of them that repreſent God's Perſon on Earth. To look upon them, and therein to behold the wondrous Works of God, and learn to fear him, is allowed; but to interpret them, that is, to pry into what God ſaith to him whom he appointed to govern under him, and make themſelves Judges whether he govern as God commandeth him or not, is to tranſgreſs the Bounds God hath ſet us, and to gaze upon God irreverently.

All Spirits were ſubordinate to the Spirit of Moſes.

There was no Prophet in the Time of *Moſes,* nor Pretender to the Spirit of God, but ſuch as *Moſes* had approved, and authoriſed. For there were in his Time but ſeventy Men, that are ſaid to propheſy by the Spirit of God, and theſe were all of *Moſes* his Election; concerning whom God ſaid to *Moſes, Numb.* xi. 16. *Gather to me ſeventy of the Elders of Iſrael, whom thou knoweſt to be the Elders of the People.* To theſe God imparted his Spirit; but it was not a different Spirit from that of *Moſes*; for it is ſaid, ver. 23. *God came down in a Cloud, and took of the Spirit that was upon Moſes, and gave it to the ſeventy Elders.* But as I have ſhewn before, Chap. XXXVI. by *Spirit,* is underſtood the *Mind*; ſo that the Senſe of the Place is no other than this, that God endued them with a Mind conformable, and ſubordinate to that of *Moſes,* that they might propheſy, that is to ſay, ſpeak to the People in God's Name, in ſuch Manner, as to ſet forward (as Miniſters of *Moſes,* and by his Authority) ſuch Doctrine as was agreeable to *Moſes* his Doctrine. For they were but Miniſters; and when two of them propheſied in the Camp, it was thought a new and unlawful Thing; and as it is in the 27th and 28th Verſes of the ſame Chapter, they were accuſed of it, and *Joſhua* adviſed *Moſes* to forbid them, as not knowing that it was by *Moſes* his Spirit that they propheſied. By which it is manifeſt, that no Subject ought to pretend to Prophecy, or to the Spirit, in Oppoſition to the Doctrine eſtabliſhed by him, whom God hath ſet in the Place of *Moſes.*

After Moſes, the Sovereignty was in the High Prieſt.

Aaron being dead, and after him alſo *Moſes,* the Kingdom, as being a Sacerdotal Kingdom, deſcended by Virtue of the Covenant, to *Aaron*'s Son, *Eleazar* the High Prieſt: And God declared him (next under himſelf) for Sovereign, at the ſame Time that he appointed *Joſhua* for the

General of their Army. For thus God ſaith expreſly, *Numb.* xxvii. 21. concerning *Joſhua*; *He ſhall ſtand before Eleazar the Prieſt, who ſhall aſk Counſel for him, before the Lord; at his Word ſhall they go out, and at his Word they ſhall come in, both he, and all the Children of Iſrael with him:* Therefore the ſupreme Power of making War and Peace, was in the Prieſt. The ſupreme Power of Judicature belongeth alſo to the High Prieſt: For the Book of the Law was in their keeping; and the Prieſts and Levites only, were the ſubordinate Judges in Cauſes Civil, as appears in *Deut.* xvii. 8, 9, 10. And for the Manner of God's Worſhip, there was never Doubt made, but that the High Prieſt till the Time of *Saul*, had the ſupreme Authority. Therefore the Civil and Eccleſiaſtical Power were both joined together in one and the ſame Perſon, the High Prieſt; and ought to be ſo, in whoſoever governeth by Divine Right; that is, by Authority immediate from God.

Of the Sovereign Power between the Time of Joſhua and Saul.

After the Death of *Joſhua*, till the Time of *Saul*, the Time between is noted frequently in the Book of Judges, *that there was in thoſe Days no King in Iſrael*; and ſometimes with this Addition, that *every Man did that which was right in his own Eyes*. By which is to be underſtood, that where it is ſaid, *there was no King*, is meant, *there was no Sovereign Power* in Iſrael. And ſo it was, if we conſider the Act, and Exerciſe of ſuch Power. For after the Death of *Joſhua* and *Eleazar*, *there aroſe another Generation*, Judges ii. 10. *that knew not the Lord, nor the Works which he had done for Iſrael, but did Evil in the Sight of the Lord, and ſerved Baalim.* And the *Jews* had that Quality which St. *Paul* noteth, *to look for a Sign*, not only before they would ſubmit themſelves to the Government of *Moſes*, but alſo after they had obliged themſelves by their Submiſſion. Whereas Signs and Miracles had for End to procure Faith, not to keep Men from violating it, when they have once given it; for to that Men are obliged by the Law of Nature. But if we conſider not the Exerciſe, but the Right of governing, the Sovereign Power was ſtill in the High Prieſt. Therefore whatſoever Obedience was yielded to any of the Judges (who were Men choſen by God extraordinarily, to ſave his rebellious Subjects out of the Hands of the Enemy) it cannot be drawn into Argument againſt the Right the High Prieſt had to the Sovereign Power, in all Matters, both of Policy and Religion. And neither the Judges, nor *Samuel* himſelf had an ordinary, but extraordinary Calling to the Government; and were obeyed by the *Iſraelites*, not out of Duty, but out of Reverence to their Favour with God, appearing in their Wiſdom, Courage, or Felicity. Hitherto therefore the Right of regulating both the Policy, and the Religion, were inſeparable.

Of the Rights of the Kings of Iſrael.

To the Judges, ſucceeded Kings: And whereas before, all Authority, both in Religion and Policy, was in the High Prieſt; ſo now it was all in the King. For the Sovereignty over the People, which was before, not only by Virtue of the Divine Power, but alſo by a particular Pact of the *Iſraelites* in God, and next under him, in the High Prieſt, as his Vicegerent on Earth, was caſt off by the People, with the Conſent of God himſelf. For when they ſaid to *Samuel*, 1 *Sam.* viii. 5. *Make us a King to judge us, like all the Nations*, they ſignified that they would no more be governed by the Commands that ſhould be laid upon them by the Prieſt, in the Name of God; but by one that ſhould command them in the ſame Manner that all other Nations were commanded; and conſequently in depoſing the High Prieſt of Royal Authority, they depoſed that peculiar Government of God. And yet God conſented to it, ſaying to *Samuel*, ver. 7. *Hearken unto the Voice of the People, in all that they ſhall ſay unto thee; for they have not rejected thee, but they have rejected me, that I ſhould not reign over them.* Having therefore rejected God, in whoſe Right the Prieſts governed, there was no Authority left to the Prieſts, but ſuch as the King was pleaſed to allow them; which was more or leſs, according as the Kings were good, or evil. And for the Government of Civil Affairs, it is manifeſt, it was all in the Hands of the King. For in the ſame Chapter, ver. 20. they ſay they will be like all the Nations; that their King ſhall be their Judge, and go before them, and fight their Battles; that is, he ſhall have the whole Authority, both in Peace and War. In which is contained alſo the ordering of Religion: for there was no other Word of God in that Time, by which to regulate Religion, but the Law of *Moſes*, which was their Civil Law. Beſides, we read, 1 *Kings* ii. 27. that *Solomon thruſt out Abiathar from being Prieſt before the Lord:* He had therefore Authority over the High Prieſt, as over any other Subject; which is a great Mark of Supremacy in Religion. And we read alſo, 1 *Kings* viii. that he dedicated the Temple; that he bleſſed the People; and that he himſelf in Perſon made that excellent Prayer, uſed in the Conſecrations of all Churches, and Houſes of Prayer; which is another great Mark of Supremacy in Religion. Again, we read, 2 *Kings* xxii. that when there was Queſtion concerning the Book of the Law found in the Temple, the ſame was not decided by the High Prieſt, but *Joſiah* ſent both him and others to enquire concerning it, of *Hulda*, the Propheteſs; which is another Mark of the Supremacy in Religion. Laſtly, we read, 1 *Chron.* xxvi. 30. that *David* made *Haſhabiah* and his Brethren, *Hebronites*, Officers of *Iſrael* among them Weſtward, *in all Buſineſs of the Lord, and in the Service of the King.* Likewiſe, ver. 32. that he made other *Hebronites, Rulers over the Reubenites, the Gadites, and half Tribe of Manaſſeh* (theſe were the reſt of *Iſrael* that dwelt beyond *Jordan*) *for every Matter pertaining to God, and Affairs of the King.* Is not this full Power, both *Temporal* and *Spiritual*, as they call it that would divide it? To conclude; from the firſt Inſtitution of God's Kingdom, to the Captivity, the Supremacy of Religion was in the ſame Hand with that of the Civil Sovereignty; and the Prieſt's Office, after the Election of *Saul*, was not Magiſterial, but Miniſterial.

The Practice of Supremacy in Religion, was not in the Time of the Kings, according to the Right thereof.

Notwithſtanding the Government both in Policy and Religion were joined, firſt in the High Prieſts, and afterwards in the Kings, ſo far forth as concerned the Right; yet it appeareth by the ſame holy Hiſtory, that the People underſtood it not; but there being amongſt them a great Part, and probably the greateſt Part, that no longer than they ſaw great Miracles, or (which is equivalent to a Miracle) great Abilities, or great Felicity in the Enterprizes of their Governors, gave ſufficient Credit, either to the Fame of *Moſes*, or to the Colloquies between God and the Prieſts; they took Occaſion, as often as their Governors diſpleaſed them, by blaming ſometimes the Policy, ſometimes the Religion, to change the Government, or revolt from their Obedience at their Pleaſure: And from thence proceeded from time to time the Civil Troubles, Diviſions, and Calamities of the Nation. As for Example, after the Death of *Eleazar* and *Joſhua*, the Generation which had not ſeen the Wonders of God, but were left to their own weak Reaſon, not knowing themſelves obliged by the Covenant of a Sacerdotal Kingdom, regarded no more the Commandment of the Prieſt, nor any Law of *Moſes*, but did every Man that which was right in his own Eyes; and obeyed in Civil Affairs, ſuch Men, as from time to time they thought able to deliver them from the neighbour Nations that oppreſſed them; and conſulted not with God (as they ought to do) but with ſuch Men, or Women, as they gueſſed to be Prophets by their Predictions of Things to come; and though they had an Idol in their Chapel, yet if they had a *Levite* for their Chaplain, they made Account they worſhipped the God of *Iſrael*.

And afterwards when they demanded a King, after the Manner of the Nations; yet it was not with a Deſign to depart from the Worſhip of God their King; but deſpairing of the Juſtice of the Sons of *Samuel*, they would have a King to judge them in Civil Actions; but not that they would allow their King to change the Religion which they thought was recommended to them by *Moſes*. So that they always kept in Store a Pretext, either of Juſtice, or Religion, to diſcharge themſelves of their Obedience, whenſoever they had Hope to prevail. *Samuel* was diſpleaſed with the People, for that they deſired a King, (for God was their King already, and *Samuel* had but an Authority under him;) yet did *Samuel*, when *Saul* obſerved not his Counſel, in deſtroying *Agag* as God had commanded, anoint another King, namely, *David*, to take the Succeſſion from his Heirs. *Rehoboam* was no Idolater; but when the People thought him an Oppreſſor, that Civil Pretence carried from him ten Tribes to *Jeroboam* an Idolater. And generally through the whole Hiſtory of the Kings, as well of *Judah*, as of *Iſrael*, there were Prophets that always controlled the Kings, for tranſgreſſing the Religion; and ſometimes alſo for Errors of State; as *Jehoſaphat* was reproved by the Prophet *Jehu*, for aiding the King of *Iſrael* againſt the *Syrians*; and *Hezekiah*, by *Iſaiah*, for ſhewing his Treaſures to the Ambaſſadors of *Babylon*. By all which it appeareth, that though the Power both of State and Religion were in the Kings; yet none of them were uncontrolled in the Uſe of it, but ſuch as were gracious for their own natural Abilities, or Felicities. So that from the Practice of thoſe Times, there can no Arguments be drawn, that the Right of Supremacy in Religion was not in the Kings, unleſs we place it in the Prophets; and conclude, that becauſe *Hezekiah* praying to the Lord before the Cherubims, was not anſwered from thence, nor then, but afterwards by the Prophet *Iſaiah*, therefore *Iſaiah* was ſupreme Head of the Church; or becauſe *Joſiah* conſulted *Hulda* the Propheteſs, concerning the Book of the Law, that therefore neither he, nor the High Prieſt, but *Hulda* the Propheteſs, had the ſupreme Authority in Matter of Religion; which I think is not the Opinion of any Doctor.

2 Chron. xix. 2.

After the Captivity the Jews had no ſettled Commonwealth.

During the Captivity, the *Jews* had no Commonwealth at all: And after their Return, though they renewed their Covenant with God, yet there was no Promiſe made of Obedience, neither to *Eſdras*, nor to any other: And preſently after they became Subjects to the *Greeks* (from whoſe Cuſtoms, and Dæmonology, and from the Doctrine of the Cabaliſts, their Religion became much corrupted:) In ſuch Sort as nothing can be gathered from their Confuſion, both in State and Religion, concerning the Supremacy in either. And therefore ſo far forth as concerneth the Old Teſtament, we may conclude, that whoſoever had the Sovereignty of the Commonwealth amongſt the *Jews*, the ſame had alſo the ſupreme Authority in Matter of God's external Worſhip, and repreſented God's Perſon; that is, the Perſon of God the Father; though he were not called by the Name of Father, till ſuch Time as he ſent into the World his Son *Jeſus Chriſt*, to redeem Mankind from their Sins, and bring them into his everlaſting Kingdom, to be ſaved for evermore. Of which we are to ſpeak in the Chapter following.

CHAP. XLI.

Of the OFFICE *of our* BLESSED SAVIOUR.

Three Parts of the Office of Chriſt.

WE find in Holy Scripture three Parts of the *Office* of the *Meſſiah*: The firſt of a *Redeemer*, or *Saviour*: The ſecond of a *Paſtor*, *Counſellor*, or *Teacher*, that is, of a Prophet ſent from God, to convert ſuch as God hath elected to Salvation: The third of a *King*, an *eternal King*, but under his Father, as *Moſes* and the High Prieſts were in their ſeveral Times. And to theſe three Parts are correſpondent three Times. For our Redemption he wrought at his firſt coming, by the Sacrifice, wherein he offered up himſelf for our Sins upon the Croſs: Our Converſion he wrought partly then in his own Perſon; and partly worketh now by his Miniſters; and will continue to work till his coming again: And after his coming again, ſhall begin that his glorious Reign over his Elect, which is to laſt eternally.

His Office, as a Redeemer.

To the *Office* of a *Redeemer*, that is, of one that payeth a Ranſom of Sin (which Ranſom is Death) it appertaineth, that he was ſacrificed, and thereby bare upon his own Head, and carried away from us our Iniquities, in ſuch ſort as God had required. Not that the Death of one Man, though without Sin, can ſatisfy for the Offences of all Men, in the Rigour of Juſtice, but in the Mercy of God, that ordained ſuch Sacrifices for Sin, as he was pleaſed in his Mercy to accept. In the old Law, as we may read, *Leviticus* xvi. the Lord required that there ſhould every Year once, be made an Atonement for the Sins of all *Iſrael*, both Prieſts, and others; for the doing whereof, *Aaron* alone was to ſacrifice for himſelf and the Prieſts a young Bullock; and for the reſt of the People, he was to receive from them two young Goats, of which he was to *ſacrifice* one; but as for the other, which was the *Scape Goat*, he was to lay his Hands on the Head thereof, and by a Confeſſion of the Iniquities of the People, to lay them all on that Head, and then by ſome opportune Man, to cauſe the Goat to be led into the Wilderneſs, and there to *eſcape*, and carry away with him the Iniquities of the People. As the Sacrifice of the one Goat was a ſufficient (becauſe an acceptable) Price for the Ranſom of all *Iſrael*; ſo the Death of the Meſſiah is a ſufficient Price for the Sins of all Mankind, becauſe there was no more required. Our Saviour Chriſt's Sufferings ſeem to be here figured, as clearly, as in the Oblation of *Iſaac*, or in any other Type of him in the Old Teſtament: He was both the ſacrificed Goat, and the Scape Goat: *He was oppreſſed, and he was afflicted*, Iſa. liii. 7. *he opened not his Mouth; he is brought as a Lamb to the Slaughter, and as a Sheep is dumb before the Shearer, ſo opened he not his Mouth*: here he is the *ſacrificed* Goat. *He hath born our Griefs*, ver. 4. *and carried our Sorrows*: and again, ver. 6. *the Lord hath laid upon him the Iniquity of us all*: and ſo he is the *Scape Goat*. *He was cut off from the Land of the Living*, ver. 8. *for the Tranſgreſſion of my People*: there again he is the *ſacrificed Goat*. And again, ver. 11. *he ſhall bear their Sins*: he is the *Scape Goat*. Thus is the Lamb of God equivalent to both thoſe Goats; ſacrificed in that he died; and eſcaping in his Reſurrection; being raiſed opportunely by his Father, and removed from the Habitation of Men in his Aſcenſion.

Chriſt's Kingdom not of this World.

Foraſmuch therefore, as he that *redeemeth*, hath no Title to the *Thing redeemed*, before *the Redemption*, and Ranſom paid; and this Ranſom was the Death of the Redeemer; it is manifeſt, that our Saviour, as Man, was not King of thoſe he redeemed, before he ſuffered Death;

that is, during that Time he converſed bodily on the Earth. I ſay, he was not then King in preſent, by Virtue of the Pact, which the Faithful make with him in Baptiſm: Nevertheleſs, by their renewing of their Pact with God in Baptiſm, they were obliged to obey him for King, under his Father, whenſoever he ſhould be pleaſed to take the Kingdom upon him. According whereunto, our Saviour himſelf expreſly ſaith, *John* xviii 36. *My Kingdom is not of this World.* Now ſeeing the Scripture maketh mention but of two Worlds; this that is now, and ſhall remain to the Day of Judgment, which is therefore alſo called *the laſt Day*; and that which ſhall be after the Day of Judgment, when there ſhall be a new Heaven, and a new Earth; the Kingdom of Chriſt is not to begin till the general Reſurrection. And that is it which our Saviour ſaith, *Mat.* xvi. 27. *The Son of Man ſhall come in the Glory of his Father, with his Angels; and then he ſhall reward every Man according to his Works.* To reward every Man according to his Works, is to execute the Office of a King; and this is not to be till he come in the Glory of his Father, with his Angels. When our Saviour ſaith, *Mat.* xxiii. 2. *The Scribes and Phariſees ſit in Moſes Seat: All therefore whatſoever they bid you do, that obſerve and do*; he declareth plainly, that he aſcribeth kingly Power, at that Time, not to himſelf, but to them. And ſo he doth alſo, when he ſaith, *Luke* xii. 14. *Who made me a Judge, or Divider over you?* And *John* xii. 47. *I came not to judge the World, but to ſave the World.* And yet our Saviour came into this World that he might be a King, and a Judge in the World to come: For he was the Meſſiah, that is, the Chriſt, that is, the anointed Prieſt, and the Sovereign Prophet of God; that is to ſay, he was to have all the Power that was in *Moſes* the Prophet, in the High Prieſts that ſucceeded *Moſes*, and in the Kings that ſucceeded the Prieſts. And St. *John* ſays expreſly, Chap. v. Ver. 22. *The Father judgeth no Man, but hath committed all Judgment to the Son.* And this is not repugnant to that other Place, *I came not to judge the World*: for this is ſpoken of the World preſent, the other of the World to come; as alſo where it is ſaid, that at the ſecond coming of Chriſt, *Mat.* xix. 28. *Ye that have followed me in the Regeneration, when the Son of Man ſhall ſit in the Throne of his Glory, ye ſhall alſo ſit on twelve Thrones, judging the twelve Tribes of Iſrael.*

The End of Chriſt's coming, was to renew the Covenant of the Kingdom of God, and to perſuade the Elect to embrace it, which was the ſecond Part of his Office.

If then Chriſt whilſt he was on Earth, had no Kingdom in this World, to what End was his firſt coming? It was to reſtore unto God, by a new Covenant, the Kingdom, which being his by the old Covenant, had been cut off by the Rebellion of the *Iſraelites* in the Election of *Saul.* Which to do, he was to preach unto them, that he was the *Meſiah*, that is, the King promiſed to them by the Prophets; and to offer himſelf in Sacrifice for the Sins of them that ſhould by Faith ſubmit themſelves thereto; and in caſe the Nation generally ſhould refuſe him, to call to his Obedience ſuch as ſhould believe in him amongſt the *Gentiles.* So that there are two Parts of our Saviour's Office during his Abode upon the Earth: One to proclaim himſelf the Chriſt; and another by teaching, and by working of Miracles, to perſuade, and prepare Men to live ſo, as to be worthy of the Immortality Believers were to enjoy, at ſuch time as he ſhould come in Majeſty, to take Poſſeſſion of his Father's Kingdom. And therefore it is, that the Time of his preaching, is often by himſelf called the *Regeneration*; which is not properly a Kingdom, and thereby a Warrant to deny Obedience to the Magiſtrates that then were, for he commanded to obey thoſe that ſate then in *Moſes* Chair, and to pay Tribute to *Cæſar*; but only an Earneſt of the Kingdom of God that was to come, to thoſe to whom God had given the Grace to be his Diſciples,

ciples, and to believe in him; for which Cauſe the Godly are ſaid to be already in the *Kingdom of Grace*, as naturalized in that heavenly Kingdom.

The preaching of Chriſt not contrary to the then Law of the Jews, nor of Cæſar.

Hitherto therefore there is nothing done, or taught by Chriſt, that tendeth to the Diminution of the Civil Right of the *Jews*, or of *Cæſar*. For as touching the Commonwealth which then was among the *Jews*, both they that bare rule amongſt them, and they that were governed, did all expect the *Meſſiah*, and Kingdom of God; which they could not have done, if their Laws had forbidden him, when he came, to manifeſt, and declare himſelf. Seeing therefore he did nothing, but by Preaching, and Miracles, go about to prove himſelf to be that *Meſſiah*, he did therein nothing againſt their Laws. The Kingdom he claimed was to be in another World: He taught all Men to obey in the mean time them that ſat in *Moſes* Seat: He allowed them to give *Cæſar* his Tribute, and refuſed to take upon himſelf to be a Judge. How then could his Words, or Actions, be ſeditious, or tend to the Overthrow of their then Civil Government? But God having determined his Sacrifice, for the Reduction of his Elect to their former covenanted Obedience, for the Means whereby he would bring the ſame to effect, made uſe of their Malice, and Ingratitude. Nor was it contrary to the Laws of *Cæſar*. For though *Pilate* himſelf, to gratify the *Jews*, delivered him to be crucified; yet before he did ſo, he pronounced openly, that he found no fault in him: and put for Title of his Condemnation, not as the *Jews* required, *that he pretended to be King*, but ſimply, *That he was King of the Jews*; and notwithſtanding their Clamour, refuſed to alter it; ſaying, *What I have written, I have written.*

The third Part of his Office was to be King, under his Father, of the Elect.

As for the third Part of his Office, which was to be *King*, I have already ſhewn that his Kingdom was not to begin till the Reſurrection. But then he ſhall be King, not only as God, in which Senſe he is King already, and ever ſhall be, of all the Earth, in virtue of his Omnipotence; but alſo peculiarly of his own Elect, by virtue of the Pact they made with him in their Baptiſm. And therefore it is, that our Saviour ſaith, *Mat*. xix. 28. that his Apoſtles ſhould ſit on twelve Thrones, judging the twelve Tribes of *Iſrael*, *When the Son of Man ſhall ſit in the Throne of his Glory:* whereby he ſignified that he ſhould reign then in his human Nature; and *Mat*. xvi. 27. *The Son of Man ſhall come in the Glory of his Father, with his Angels, and then he ſhall reward every Man according to his Works.* The ſame we may read, *Mark* xiii. 26. and xiv. 62. and more expreſly for the time, *Luke* xxii. 29, 30. *I appoint unto you a Kingdom, as my Father hath appointed to me, that you may eat and drink at my Table in my Kingdom, and ſit on Thrones judging the twelve Tribes of Iſrael.* By which it is manifeſt, that the Kingdom of Chriſt appointed to him by his Father, is not to be before the Son of Man ſhall come in Glory, and make his Apoſtles Judges of the twelve Tribes of *Iſrael*. But a Man may here aſk, ſeeing there is no Marriage in the Kingdom of Heaven, whether Men ſhall then eat, and drink; what eating therefore is meant in this Place? This is expounded by our Saviour, *John* vi. 27. where he ſaith, *Labour not for the Meat which periſheth, but for that Meat which endureth unto everlaſting Life, which the Son of Man ſhall give you.* So that by eating at Chriſt's Table, is meant the eating of the Tree of Life; that is to ſay, the enjoying of Immortality, in the Kingdom of the Son of Man. By which Places, and many more, it is evident, that our Saviour's Kingdom is to be exerciſed by him in his human Nature.

Chriſt's Authority in the Kingdom of God, ſubordinate to that of his Father.

Again, he is to be King then, no otherwiſe than as ſubordinate, or Vicegerent of God the Father, as *Moſes* was in the Wilderneſs; and as the High Prieſts were before the Reign of *Saul*; and as the Kings were after it. For it is one of the Prophecies concerning Chriſt, that he ſhould be like, in Office, to *Moſes*: *I will raiſe them up a Prophet*, ſaith the Lord, *Deut*. xviii. 18. *from amongſt their Brethren, like unto thee, and will put my Words into his Mouth*; and this Similitude with *Moſes*, is alſo apparent in the Actions of our Saviour himſelf, whilſt he was converſant on Earth. For as *Moſes* had choſe twelve Princes of the Tribes, to govern under him; ſo did our Saviour chuſe twelve Apoſtles, who ſhall ſit on twelve Thrones, and judge the twelve Tribes of *Iſrael*. And as *Moſes* authoriſed ſeventy Elders to receive the Spirit of God, and to propheſy to the People, that is, as I have ſaid before, to ſpeak unto them in the Name of God; ſo our Saviour alſo ordained ſeventy Diſciples, to preach his Kingdom, and Salvation to all Nations. And as when a Complaint was made to *Moſes*, againſt thoſe of the ſeventy that propheſied in the Camp of *Iſrael*, he juſtified them in it, as being ſubſervient therein to his Government; ſo alſo our Saviour, when St. *John* complained to him of a certain Man that caſt out Devils in his Name, juſtified him therein, ſaying, *Luke* ix. 50. *Forbid him not, for he that is not againſt us, is on our part*.

Again, our Saviour reſembled *Moſes* in the Inſtitution of *Sacraments*, both of *Admiſſion* into the Kingdom of God, and of *Commemoration* of his Deliverance of his Elect from their miſerable Condition. As the Children of *Iſrael* had for Sacrament of their Reception into the Kingdom of God, before the Time of *Moſes*, the Rite of *Circumciſion*, which Rite having been omitted in the Wilderneſs, was again reſtored as ſoon as they came into the *Land of Promiſe*; ſo alſo the *Jews*, before the coming of our Saviour, had a Rite of *Baptizing*, that is, of waſhing with Water, all thoſe that being *Gentiles*, embraced the God of *Iſrael*. This Rite St. *John* the *Baptiſt* uſed in the Reception of all them that gave their Names to the Chriſt, whom he preached to be already come into the World; and our Saviour inſtituted the ſame for a Sacrament to be taken by all that believed in him. From what Cauſe the Rite of Baptiſm firſt proceeded, is not expreſſed formally in the Scripture; but it may be probably thought to be an Imitation of the Law of *Moſes*, concerning *Leproſy*; wherein the leprous Man was commanded to be kept out of the Camp of *Iſrael* for a certain Time; after which Time being judged by the Prieſt to be clean, he was admitted into the Camp after a ſolemn Waſhing. And this may therefore be a Type of the Waſhing in Baptiſm; wherein ſuch Men as are cleanſed of the Leproſy of Sin by Faith, are received into the Church with the Solemnity of Baptiſm. There is another Conjecture drawn from the Ceremonies of the *Gentiles*, in a certain Caſe that rarely happens; and that is, when a Man that was thought dead, chanced to recover, other Men made ſcruple to converſe with him, as they would do to converſe with a Ghoſt, unleſs he were received again into the Number of Men, by Waſhing, as Children new born were waſhed from the Uncleanneſs of their Nativity, which was a kind of new Birth. This Ceremony of the *Greeks*, in the Time that *Judæa* was under the Dominion of *Alexander*, and the *Greeks* his Succeſſors, may probably enough have crept into the Religion of the *Jews*. But ſeeing it is not likely our Saviour would countenance a Heathen Rite, it is moſt likely it proceeded from the legal Ceremony of Waſhing after Leproſy. And for the other Sacrament, of eating the *Paſchal Lamb*, it is manifeſtly imitated in the Sacrament of the *Lord's Supper*; in which the breaking of the Bread, and the pouring out of the Wine, do keep in memory our Deliverance from the Miſery of Sin, by Chriſt's Paſſion, as the eating of the *Paſchal Lamb* kept in memory the Deliverance of the *Jews* out of the Bondage of *Egypt*. Seeing therefore the Authority of *Moſes* was but ſubordinate, and he but a Lieutenant to God; it followeth, that Chriſt, whoſe Authority, as Man, was to be like that of *Moſes*, was no more but ſubordinate to the Authority of his Father. The ſame is more expreſly ſignified, by that that he teacheth us to pray, *Our Father*, *let thy Kingdom come*; and, *For thine is the Kingdom*, *the Power*, *and the Glory*; and by that it is ſaid, that *He ſhall come in the Glory of his Father*; and by that which St. *Paul* ſaith, 1 *Cor*. xv. 24. *then cometh the End*, *when he ſhall have delivered up the Kingdom to God*, *even the Father*; and by many other moſt expreſs Places.

One and the ſame God is the Perſon repreſented by Moſes and by Chriſt.

Our Saviour therefore, both in teaching, and reigning, repreſenteth, as *Moſes* did, the Perſon of God; which God from that time forward, but not before, is called the Father; and being ſtill one and the ſame Subſtance, is one Perſon as repreſented by *Moſes*, and another Perſon as repreſented by his Son the Chriſt. For *Perſon* being a Relative to a *Repreſenter*, it is conſequent to Plurality of Repreſenters, that there be a Plurality of Perſons, though of one and the ſame Subſtance.

CHAP. XLII.

Of POWER ECCLESIASTICAL.

FOR the underſtanding of *Power Eccleſiaſtical*, what, and in whom it is, we are to diſtinguiſh the Time from the Aſcenſion of our Saviour, into two Parts; one before the Converſion of Kings, and Men endued with Sovereign Civil Power; the other after their Converſion. For it was long after the Aſcenſion, before any King, or Civil Sovereign embraced, and publicly allowed the teaching of Chriſtian Religion.

Of the Holy Spirit that fell on the Apoſtles.

And for the Time between, it is manifeſt, that the *Power Eccleſiaſtical* was in the Apoſtles; and after them in ſuch as were by them ordained to preach the Goſpel, and to convert Men to Chriſtianity, and to direct them that were converted in the Way to Salvation; and after theſe the Power was delivered again to others by theſe ordained, and this was done by Impoſition of Hands upon ſuch as were ordained; by which was ſignified the giving of the Holy Spirit, or Spirit of God, to thoſe whom they ordained Miniſters of God, to advance his Kingdom. So that Impoſition of Hands, was nothing elſe but the Seal of their Commiſſion to preach Chriſt, and teach his Doctrine; and the giving of the Holy Ghoſt by that Ceremony of Impoſition of Hands, was an Imitation of that which *Moſes* did. For *Moſes* uſed the ſame Ceremony to his Miniſter *Joſhua*, as we read *Deut*. xxxiv. 9. *And Joſhua the Son of Nun was full of the Spirit of Wiſdom*; *for Moſes had laid his Hands upon him.* Our Saviour therefore, between his Reſurrection and Aſcenſion, gave his Spirit to the Apoſtles; firſt, by *breathing on them, and ſaying*, John xx. 22. *Receive ye the Holy Spirit*; and after his Aſcenſion, *Acts* ii. 2, 3. by ſending down upon them, a *mighty Wind, and cloven Tongues of Fire*; and not by Impoſition of Hands; as neither did God lay his Hands on *Moſes*: and his Apoſtles afterwards tranſmitted the ſame Spirit by Impoſition of Hands, as *Moſes* did to *Joſhua*. So that it is manifeſt hereby, in whom the Power Eccleſiaſtical continually remained, in thoſe firſt Times, where there was not any Chriſtian Commonwealth; namely, in them that received the ſame from the Apoſtles, by ſucceſſive laying on of Hands.

Of the Trinity.

Here we have the Perſon of God born now the third Time. For as *Moſes* and the High Prieſts were God's Repreſentative in the Old Teſtament; and our Saviour himſelf, as Man, during his Abode on Earth;

ſo the Holy Ghoſt, that is to ſay, the Apoſtles and their Succeſſors, in the Office of preaching and teaching, that had received the Holy Spirit, have repreſented him ever ſince. But a Perſon, as I have ſhewn before, Chap. XIII. is he that is repreſented, as often as he is repreſented; and therefore God, who has been repreſented, that is, perſonated, thrice, may properly enough be ſaid to be three Perſons; though neither the Word *Perſon* nor *Trinity*, be aſcribed to him in the Bible. St. *John* indeed, 1 Epiſt. v. 7. ſaith, *There be Three that bear Witneſs in Heaven, the Father, the Word, and the Holy Spirit; and theſe Three are One:* But this diſagreeth not, but accordeth fitly with three Perſons in the proper Signification of Perſons; which is, that which is repreſented by another. For ſo God the Father, as repreſented by *Moſes*, is one Perſon; and as repreſented by his Son, another Perſon; and as repreſented by the Apoſtles, and by the Doctors that taught by Authority from them derived, is a third Perſon; and yet every Perſon here, is the Perſon of one and the ſame God. But a Man may here aſk, What it was whereof theſe three bare Witneſs? St. *John* therefore tells us, verſe 11. that they bare Witneſs, that *God hath given us eternal Life in his Son.* Again, if it ſhould be aſked, Wherein that Teſtimony appeareth? the Anſwer is eaſy; for he hath teſtified the ſame by the Miracles he wrought, firſt by *Moſes*; ſecondly, by his Son himſelf; and laſtly, by his Apoſtles that had received the Holy Spirit; all which in their Times repreſented the Perſon of God; and either propheſied or preached *Jeſus Chriſt*. And as for the Apoſtles, it was the Character of the Apoſtleſhip, in the twelve firſt great Apoſtles, to bear Witneſs of his Reſurrection; as appeareth expreſly, *Acts* i. 21, 22. where St. *Peter*, when a new Apoſtle was to be choſen in the Place of *Judas Iſcariot*, uſeth theſe Words, *Of theſe Men which have companied with us all the Time that the Lord Jeſus went in and out amongſt us, beginning at the Baptiſm of John, unto that ſame Day that he was taken up from us, muſt one be ordained to be a Witneſs with us of his Reſurrection:* which Words interpret the *bearing of Witneſs*, mentioned by St. *John*. There is in the ſame Place mentioned another Trinity of Witneſſes in Earth; for, verſe 8. he ſaith, *There are Three that bear Witneſs in Earth, the Spirit, and the Water, and the Blood; and theſe Three are One:* that is to ſay, the Graces of God's Spirit, and the two Sacraments, Baptiſm and the Lord's Supper, which all agree in one Teſtimony, to aſſure the Conſciences of Believers of eternal Life; of which Teſtimony he ſaith, verſe 10. *He that believeth on the Son of Man hath the Witneſs in himſelf.* In this Trinity on Earth, the Unity is not of the Thing; for the Spirit, the Water, and the Blood, are not the ſame Subſtance, though they give the ſame Teſtimony: But in the Trinity of Heaven, the Perſons are the Perſons of one and the ſame God, though repreſented in three different Times and Occaſions. To conclude, the Doctrine of the Trinity, as far as can be gathered directly from the Scripture, is in Subſtance this: That God, who is always One and the ſame, was the Perſon repreſented by *Moſes*; the Perſon repreſented by his Son incarnate; and the Perſon repreſented by the Apoſtles. As repreſented by the Apoſtles, the Holy Spirit by which they ſpake, is God; as repreſented by his Son (that was God and Man) the Son is that God; as repreſented by *Moſes* and the High Prieſts, the Father, that is to ſay, the Father of our Lord *Jeſus Chriſt*, is that God: From whence we may gather the Reaſon why thoſe Names, *Father*, *Son*, and *Holy Spirit*, in the Signification of the Godhead, are never uſed in the Old Teſtament: For they are Perſons, that is, they have their Names from repreſenting, which could not be, till divers Men had repreſented God's Perſon in ruling, or directing under him.

Thus we ſee how the Power Eccleſiaſtical was left by our Saviour to the Apoſtles; and how they were (to the End they might the better exerciſe that Power) endued with the Holy Spirit, which is therefore called ſometimes in the New Teſtament *Paracletus*, which ſignifieth an *Aſſiſter*, or one called to for Help, though it be commonly tranſlated a *Comforter*. Let us now conſider the Power itſelf, what it was, and over whom.

The Power Eccleſiaſtical is but the Power to teach.

Cardinal *Bellarmine*, in his third general Controverſy, hath handled a great many Queſtions concerning the Eccleſiaſtical Power of the Pope of *Rome*; and begins with this, Whether it ought to be Monarchical, Ariſtocratical, or Democratical? All which ſorts of Power are Sovereign and Coercive. If now it ſhould appear, that there is no Coercive Power left them by our Saviour, but only a Power to proclaim the Kingdom of *Chriſt*, and to perſuade Men to ſubmit themſelves thereunto; and by Precepts and good Counſel, to teach them that have ſubmitted, what they are to do, that they may be received into the Kingdom of God when it comes; and that the Apoſtles, and other Miniſters of the Goſpel, are our Schoolmaſters, and not our Commanders, and their Precepts not Laws, but wholeſome Counſels, then were all that Diſpute in vain.

An Argument thereof, the Power of Chriſt himſelf:

I have ſhewn already, in the laſt Chapter, that the Kingdom of *Chriſt* is not of this World: therefore neither can his Miniſters, unleſs they be Kings, require Obedience in his Name. For if the ſupreme King have not his regal Power in this World, by what Authority can Obedience be required to his Officers? *As my Father ſent me, ſo* (ſaith our Saviour) *I ſend you.* But our Saviour was ſent to perſuade the *Jews* to return to, and to invite the *Gentiles*, to receive the Kingdom of his Father, and not to reign in Majeſty, no not, as his Father's Lieutenant, till the Day of Judgment.

From the Name of Regeneration:

The Time between the Aſcenſion and the general Reſurrection, is called, not a Reigning, but a Regeneration; that is, a Preparation of Men for the ſecond and glorious Coming of *Chriſt*, at the Day of Judgment; as appeareth by the Words of our Saviour, *Matth.* xix. 28. *You that have followed me in the Regeneration, when the Son of Man ſhall ſit in the Throne of his Glory, you ſhall alſo ſit upon twelve Thrones*; and of St. *Paul*, Epheſ. vi. 15. *Having your Feet ſhod with the Preparation of the Goſpel of Peace.*

From the Compariſon of it with Fiſhing, Leaven, Seed:

And is compared by our Saviour, to fiſhing; that is, to winning Men to Obedience, not by Coercion and Puniſhing, but by Perſuaſion: and therefore he ſaid not to his Apoſtles, he would make them ſo many *Nimrods*, *Hunters of Men*, but, *Fiſhers of Men*. It is compared alſo to Leaven, to ſowing of Seed, and to the Multiplication of a Grain of Muſtard-ſeed; by all which Compulſion is excluded; and conſequently there can in that Time be no actual reigning. The Work of *Chriſt*'s Miniſters, is Evangelization; that is, a Proclamation of *Chriſt*, and a Preparation for his ſecond Coming; as the Evangelization of *John Baptiſt* was a Preparation to his firſt Coming.

From the Nature of Faith:

Again, the Office of *Chriſt*'s Miniſters in this World, is to make Men believe, and have Faith in *Chriſt*: But Faith hath no Relation to, nor Dependence at all upon Compulſion, or Commandment; but only upon Certainty, or Probability of Arguments drawn from Reaſon, or from ſomething Men believe already. Therefore the Miniſters of Chriſt in this World, have no Power by that Title, to puniſh any Man for not believing, or for contradicting what they ſay; they have, I ſay, no Power by that Title of *Chriſt*'s Miniſters, to puniſh ſuch: but if they have Sovereign Civil Power, by politic Inſtitution, then they may indeed lawfully puniſh any Contradiction to their Laws whatſoever: And St. *Paul* of himſelf and other the then Preachers of the Goſpel, ſaith in expreſs Words, *We have no Dominion over your Faith, but are Helpers of your Joy.* 2 Cor. i. 24.

From the Authority Chriſt hath left to Civil Princes.

Another Argument, that the Miniſters of Chriſt in this preſent World have no Right of Commanding, may be drawn from lawful Authority, which Chriſt has left to all Princes, as well Chriſtians as Infidels. St. *Paul* ſaith, *Col.* iii. 20. *Children, obey your Parents in all things; for this is well-pleaſing to the Lord.* And ver. 22. *Servants, obey in all things your Maſters according to the Fleſh, not with Eye-ſervice, as Men-pleaſers, but in Singleneſs of Heart, as fearing the Lord:* This is ſpoken to them whoſe Maſters were Infidels, and yet they are bidden to obey them *in all things.* And again, concerning Obedience to Princes, *Rom.* xiii. the firſt ſix Verſes, exhorting *to be ſubject to the higher Powers,* he ſaith, *that all Power is ordained of God*; and *that we ought to be ſubject to them, not only for* fear of incurring their *Wrath, but alſo for Conſcience Sake.* And St. *Peter,* 1 Epiſt. chap. ii. ver. 13, 14, 15. *Submit yourſelves to every Ordinance of Man for the Lord's Sake, whether it be to the King, as Supreme, or unto Governors, as to them that be ſent by him for the Puniſhment of evil Doers, and for the Praiſe of them that do well; for ſo is the Will of God.* And again, St. *Paul, Tit.* iii. 1. *Put Men in Mind to be ſubject to Principalities, and Powers, and to obey Magiſtrates.* Theſe Princes and Powers, whereof St. *Peter* and St. *Paul* here ſpeak, were all Infidels: much more therefore are we to obey thoſe Chriſtians, whom God hath ordained to have Sovereign Power over us. How then can we be obliged to obey any Miniſter of Chriſt, if he ſhould command us to do any thing contrary to the Command of the King, or other Sovereign Repreſentant of the Commonwealth, whereof we are Members, and by whom we look to be protected? It is therefore manifeſt, that Chriſt hath not left to his Miniſters in this World, unleſs they be alſo endued with Civil Authority, any Authority to command other Men.

What Chriſtians may do to avoid Perſecution.

But what (may ſome object) if a King, or Senate, or other Sovereign Perſon, forbid us to believe in Chriſt? To this I anſwer, that ſuch Forbidding is of no Effect; becauſe Belief and Unbelief never follow Men's Commands. Faith is a Gift of God, which Man can neither give, nor take away, by Promiſe of Rewards, or Menaces of Torture. And if it be further aſked, What if we be commanded by our lawful Prince, to ſay with our Tongue, we believe not; muſt we obey ſuch Command? Profeſſion with the Tongue is but an external thing, and no more than any other Geſture whereby we ſignify our Obedience; and wherein, a Chriſtian, holding firmly in his Heart the Faith of Chriſt, hath the ſame Liberty which the Prophet *Eliſha* allowed to *Naaman* the *Syrian. Naaman* was converted in his Heart to the God of *Iſrael*; for he ſaith, 2 *Kings* v. 17. *Thy Servant will henceforth offer neither Burnt-offering nor Sacrifice unto other Gods, but unto the Lord. In this thing the Lord pardon thy Servant, that when my Maſter goeth into the Houſe of Rimmon to worſhip there, and he leaneth on my Hand, and I bow myſelf in the Houſe of Rimmon, when I bow myſelf in the Houſe of Rimmon, the Lord pardon thy Servant in this thing.* This the Prophet approved, and bid him *go in Peace.* Here *Naaman* believed in his Heart; but by bowing before the Idol *Rimmon,* he denied the true God in Effect, as much as if he done it with his Lips. But then what ſhall we anſwer to our Saviour's ſaying, *Whoſoever denieth me before Men, I will deny him before my Father which is in Heaven?* This we may ſay, that whatſoever a Subject, as *Naaman* was, is compelled to in Obedience to his Sovereign, and doth it not in order to his own Mind, but in order to the Laws of his Country, that Action is not his, but his Sovereign's; nor is it he that in this Caſe denieth Chriſt before Men, but his Governor, and the Law of his Country. If any Man ſhall accuſe this Doctrine, as repugnant to true and unfeigned Chriſtianity; I aſk him, in caſe there ſhould be a Subject in any Chriſtian Commonwealth, that ſhould be inwardly in his Heart of the Mahometan Religion, whether if his Sovereign command him to be preſent at the divine Service of the Chriſtian Church, and that on pain of Death, he think that Mahometan obliged in Conſcience to ſuffer Death for that Cauſe, rather than to obey that Command of his lawful Prince. If he ſay, he ought rather to ſuffer Death, then he authorizeth all private Men, to diſobey their Princes, in maintenance of their Religion, true, or falſe: if he ſay, he ought to be obedient, then he alloweth to himſelf, that which he denieth to another, contrary to the Words of our Saviour, *Whatſoever you would that Men ſhould do unto you, that do ye unto them*; and contrary to the Law of Nature (which is the indubitable everlaſting Law of God) *Do not to another, that which thou wouldeſt not he ſhould do unto thee.*

Of Martyrs.

But what then ſhall we ſay of all thoſe Martyrs we read of in the Hiſtory of the Church, that they have needleſly caſt away their Lives? For Anſwer hereunto, we are to diſtinguiſh the Perſons that have been for that Cauſe put to Death; whereof ſome have received a Calling to preach, and profeſs the Kingdom of Chriſt openly; others have had no ſuch Calling, nor more has been required of them than their own Faith. The former Sort, if they have been put to Death, for bearing Witneſs to this Point, that Jeſus Chriſt is riſen from the Dead, were true Martyrs: For a *Martyr* is, to give the true Definition of the Word, a Witneſs of the Reſurrection of Jeſus the Meſſiah; which none can be but thoſe that converſed with him on Earth, and ſaw him after he was riſen: For a Witneſs muſt have ſeen what he teſtifieth, or elſe his Teſtimony is not good. And that none but ſuch, can properly be called Martyrs of Chriſt, is manifeſt out of the Words of St. *Peter*, *Acts* i. 21, 22. *Wherefore of theſe Men which have companied with us all the time that the Lord Jeſus went in and out amongſt us, beginning from the Baptiſm of John unto that ſame Day he was taken up from us, muſt one be ordained to be a Martyr* (that is a Witneſs) *with us of his Reſurrection:* Where we may obſerve, that he which is to be a Witneſs of the Truth of the Reſurrection of Chriſt, that is to ſay, of the Truth of this fundamental Article of Chriſtian Religion, that Jeſus was the Chriſt, muſt be ſome Diſciple that converſed with him, and ſaw him before, and after his Reſurrection; and conſequently muſt be one of his original Diſciples: whereas they which were not ſo, can witneſs no more, but that their Anceſtors ſaid it, and are therefore but Witneſſes of other Men's Teſtimony; and are but ſecond Martyrs, or Martyrs of Chriſt's Witneſſes.

He, that to maintain every Doctrine which he himſelf draweth out of the Hiſtory of our Saviour's Life, and of the Acts, or Epiſtles of the Apoſtles; or which he believeth upon the Authority of a private Man, will oppoſe the Laws and Authority of the Civil State, is very far from being a Martyr of Chriſt, or a Martyr of his Martyrs. 'Tis one Article only, which to die for, meriteth ſo honourable a Name; and that Article is this, that *Jeſus is the Chriſt*; that is to ſay, He that hath redeemed us, and ſhall come again to give us Salvation, and eternal Life in his glorious Kingdom. To die for every Tenet that ſerveth the Ambition, or Profit of the Clergy, is not required; nor is it the Death of the Witneſs, but the Teſtimony itſelf that makes the Martyr: for the Word ſignifieth nothing

thing elſe, but the Man that beareth Witneſs, whether he be put to Death for his Teſtimony, or not.

Alſo he that is not ſent to preach this fundamental Article, but taketh it upon him of his private Authority, though he be a Witneſs, and conſequently a Martyr, either primary of Chriſt, or ſecundary of his Apoſtles, Diſciples, or their Succeſſors; yet is he not obliged to ſuffer Death for that Cauſe; becauſe being not called thereto, it is not required at his Hands; nor ought he to complain, if he loſeth the Reward he expecteth from thoſe that never ſet him on Work. None therefore can be a Martyr, neither of the firſt, nor ſecond Degree, that have not a Warrant to preach Chriſt come in the Fleſh; that is to ſay, none, but ſuch as are ſent to the Converſion of Infidels. For no Man is a Witneſs to him that already believeth, and therefore needs no Witneſs; but to them that deny or doubt, or have not heard it. Chriſt ſent his Apoſtles, and his ſeventy Diſciples, with Authority to preach; he ſent not all that believed: and he ſent them to Unbelievers; *I ſend you* (ſaith he) *as Sheep amongſt Wolves*; not as Sheep to other Sheep.

Argument from the Points of their Commiſſion,

Laſtly, the Points of their Commiſſion, as they are expreſly ſet down in the Goſpel, contain none of them any Authority over the Congregation.

To preach;

We have firſt, *Math*. x. that the twelve Apoſtles were ſent *to the loſt Sheep of the Houſe of Iſrael*, and commanded to preach, *that the Kingdom of God was at hand.* Now Preaching in the Original, is that Act, which a Cryer, Herald, or other Officer uſeth to do publicly in proclaiming of a King. But a Cryer hath not Right to command any Man. And *Luke* x. 2. the ſeventy Diſciples are ſent out, as *Labourers*, *not as Lords of the Harveſt*; and are bidden, verſe 9. to ſay, *The Kingdom of God is come nigh unto you*; and by Kingdom here is meant, not the Kingdom of Grace, but the Kingdom of Glory; for they are bidden to denounce it, verſe 12. to thoſe Cities which ſhall not receive them, as a Threatning, *that it ſhall be more tolerable in that Day for Sodom, than for ſuch a City.* And, *Mat*. xx. 28. our Saviour telleth his Diſciples, that ſought Priority of Place, their Office was to miniſter, even as the Son of Man came, not to be miniſtred unto, but to miniſter. Preachers therefore have not magiſterial, but miniſterial Power: *Be not called Maſters*, (ſaith our Saviour, *Mat*. xxiii. 10.) *for one is your Maſter, even Chriſt.*

And teach;

Another Point of their Commiſſion, is, to *teach all Nations*; as it is in *Mat*. xxviii. 19. or in St. *Mark* xvi. 15. *Go into all the World, and preach the Goſpel to every Creature.* Teaching, therefore, and Preaching, is the ſame Thing. For they that proclaim the coming of a King, muſt withal make known by what Right he cometh, if they mean Men ſhall ſubmit themſelves unto him: As St. *Paul* did to the *Jews* of *Theſſalonica*, when *three Sabbath Days he reaſoned with them out of the Scriptures, opening, and alledging that Chriſt muſt needs have ſuffered, and riſen again from the Dead, and that this Jeſus is Chriſt.* But to teach out of the Old Teſtament that *Jeſus* was Chriſt, (that is to ſay, King) and riſen from the Dead, is not to ſay, that Men are bound after they believe it, to obey thoſe that tell them ſo againſt the Laws, and Commands of their Sovereigns; but that they ſhall do wiſely, to expect the coming of Chriſt hereafter, in Patience, and Faith, with Obedience to their preſent Magiſtrates.

To baptize;

Another Point of their Commiſſion, is to *baptize, in the Name of the Father, and of the Son, and of the Holy Ghoſt.* What is Baptiſm? Dipping into Water. But what is it to dip a Man into the Water in the Name of any thing? The Meaning of theſe Words of Baptiſm is this: He that is baptized, is dipped or waſhed, as a Sign of becoming a new Man, and a loyal Subject to that God, whoſe Perſon was repreſented in old Time by *Moſes* and the High Prieſts, when he reigned over the *Jews*; and to *Jeſus Chriſt* his Son, God and Man, that hath redeemed us, and ſhall in his human Nature repreſent his Father's Perſon in his eternal Kingdom after the Reſurrection; and to acknowledge the Doctrine of the Apoſtles, who aſſiſted by the Spirit of the Father, and of the Son, were left for Guides to bring us into that Kingdom, to be the only and aſſured Way thereunto. This, being our Promiſe in Baptiſm; and the Authority of earthly Sovereigns being not to be put down till the Day of Judgment; (for that is expreſly affirmed by St. *Paul*, 1 *Cor*. xv. 22, 23, 24. where he ſaith, *As in Adam all die, ſo in Chriſt all ſhall be made alive. But every Man in his own Order, Chriſt the Firſt-fruits, afterward they that are Chriſt's, at his coming; then cometh the End, when he ſhall have delivered up the Kingdom to God, even the Father, when he ſhall have put down all Rule, and all Authority and Power)* it is manifeſt, that we do not in Baptiſm conſtitute over us another Authority, by which our external Actions are to be governed in this Life; but promiſe to take the Doctrine of the Apoſtles for our Direction in the Way to Life eternal.

And to forgive, and retain Sins.

The Power of *Remiſſion and Retention of Sins*, called alſo the Power of *Looſing* and *Binding*, and ſometimes the *Keys of the Kingdom of Heaven*, is a Conſequence of the Authority to baptize, or refuſe to baptize. For Baptiſm is the Sacrament of Allegiance of them that are to be received into the Kingdom of God; that is to ſay, into eternal Life; that is to ſay, to Remiſſion of Sin: For as eternal Life was loſt by the committing, ſo it is recovered by the remitting of Men's Sins. The End of Baptiſm is Remiſſion of Sins: and therefore St. *Peter*, when they that were converted by his Sermon on the Day of Pentecoſt, aſked what they were to do, adviſed them to *repent, and be baptized in the Name of Jeſus, for the Remiſſion of Sins*. And therefore ſeeing to baptize is to declare the Reception of Men into God's Kingdom; and to refuſe to baptize is to declare their Excluſion; it followeth, that the Power to declare them caſt out, or retained in it. was given to the ſame Apoſtles, and their Subſtitutes and Succeſſors. And therefore after our Saviour had breathed upon them, ſaying, *John* xx. 22. *Receive the Holy Ghoſt*, he addeth in the next Verſe, *Whoſeſoever Sins ye remit, they are remitted unto them; and whoſeſoever Sins ye retain, they are retained*. By which Words, is not granted an Authority to forgive, or retain Sins, ſimply and abſolutely as God forgiveth or retaineth them, who knoweth the Heart of Man, and the Truth of his Penitence and Converſion; but conditionally to the Penitent: And this Forgiveneſs or Abſolution, in caſe the Abſolved have but a feigned Repentance, is thereby without other Act or Sentence of the Abſolvent, made void, and hath no Effect at all to Salvation, but on the contrary, to the Aggravation of his Sin. Therefore the Apoſtles and their Succeſſors, are to follow but the outward Marks of Repentance; which appearing, they have no Authority to deny Abſolution; and if they appear not, they have no Authority to abſolve. The ſame alſo is to be obſerved in Baptiſm: for to a converted *Jew* or *Gentile*, the Apoſtles had not the Power to deny Baptiſm; nor to grant it to the unpenitent. But ſeeing no Man is able to diſcern the Truth of another Man's Repentance, further than by external Marks, taken from his Words and Actions, which are ſubject to Hypocriſy; another Queſtion will ariſe, Who is it that is conſtituted Judge of thoſe Marks? And this Queſtion is decided by our Saviour himſelf; *If thy Brother* (ſaith he) *ſhall treſpaſs againſt thee, go and tell him his Fault between thee and him alone; if he ſhall hear thee, thou haſt gained thy Brother. But if he will not hear thee, then take with thee one or two more; and if he ſhall neglect to hear them,*

Mat. xviii. 15, 16, 17.

them, tell it unto the Church; but if he neglect to hear the Church, let him be unto thee as an Heathen Man and a Publican. By which it is manifeſt, that the Judgment concerning the Truth of Repentance, belonged not to any one Man, but to the Church, that is, to the Aſſembly of the faithful, or to them that have Authority to be their Repreſentant. But beſides the Judgment, there is neceſſary alſo the pronouncing of Sentence: And this belonged always to the Apoſtle, or ſome Paſtor of the Church, as Prolocutor; and of this our Saviour ſpeaketh in the 18th Verſe, *Whatſoever ye ſhall bind on Earth, ſhall be bound in Heaven; and whatſoever ye looſe on Earth, ſhall be looſed in Heaven.* And conformable hereunto was the Practice of St. *Paul*, 1 *Cor*. v. 3, 4, 5. where he ſaith, *For I verily, as abſent in Body, but preſent in Spirit, have determined already, as though I were preſent, concerning him that hath ſo done this Deed; in the Name of our Lord Jeſus Chriſt when ye are gathered together, and my Spirit, with the Power of our Lord Jeſus Chriſt, to deliver ſuch a one to Satan*; that is to ſay, to caſt him out of the Church, as a Man whoſe Sins are not forgiven. *Paul* here pronounceth the Sentence; but the Aſſembly was firſt to hear the Cauſe, (for St. *Paul* was abſent;) and by Conſequence to condemn him. But in the ſame Chapter, ver. 11, 12. the Judgment in ſuch a Caſe is more expreſly attributed to the Aſſembly: *But now I have written unto you, not to keep company, if any Man that is called a Brother be a Fornicator, &c. with ſuch a one no not to eat. For what have I to do to judge them that are without? Do not ye judge them that are within?* The Sentence therefore by which a Man was put out of the Church, was pronounced by the Apoſtle or Paſtor; but the Judgment concerning the Merit of the Cauſe, was in the Church; that is to ſay, (as the Times were before the Converſion of Kings, and Men that had Sovereign Authority in the Commonwealth) the Aſſembly of the Chriſtians dwelling in the ſame City; as in *Corinth*, in the Aſſembly of the Chriſtians of *Corinth*.

Of Excommunication.

This Part of the Power of the Keys, by which Men were thruſt out from the Kingdom of God, is that which is called *Excommunication*; and to *excommunicate* is in the Original, ἀποσυνάγωγον ποιεῖν, *to caſt out of the Synagogue*; that is, out of the Place of divine Service; a Word drawn from the Cuſtom of the *Jews*, to caſt out of their Synagogues, ſuch as they thought in Manners or Doctrine, contagious, as Lepers were by the Law of *Moſes* ſeparated from the Congregation of *Iſrael*, till ſuch Time as they ſhould be by the Prieſt pronounced clean.

The Uſe of Excommunication without Civil Power.

The Uſe and Effect of Excommunication, whilſt it was not yet ſtrengthened with the Civil Power, was no more than that they, who were not Excommunicate, were to avoid the Company of them that were. It was not enough to repute them as Heathen, that never had been Chriſtians; for with ſuch they might eat and drink; which with excommunicate Perſons they might not do; as appeareth by the Words of St. *Paul*, 1 *Cor*. v. 9, 10, *&c.* where he telleth them, he had formerly forbidden them to *company with Fornicators*; but (becauſe that could not be without going out of the World) he reſtraineth it to ſuch Fornicators and otherwiſe vicious Perſons, as were of the Brethren; *with ſuch a one*, he ſaith, they ought not to keep company, *no not to eat*. And this is no more than our Saviour ſaith, *Mat*. xviii. 17. *Let him be to thee as a Heathen, and as a Publican.* For Publicans, (which ſignifieth Farmers and Receivers of the Revenue of the Commonwealth) were ſo hated and deteſted by the *Jews* that were to pay it, as that *Publican* and *Sinner* were taken amongſt them for the ſame thing: Inſomuch, as when our Saviour accepted the Invitation of *Zaccheus* a Publican; though it were to convert him, yet it was objected to him as a Crime. And therefore,

fore, when our Saviour, to *Heathen*, added *Publican*, he did forbid them to eat with a Man Excommunicate.

As for keeping them out of their Synagogues, or Places of Aſſembly, they had no Power to do it, but that of the Owner of the Place, whether he were Chriſtian or Heathen. And becauſe all Places are by Right, in the Dominion of the Commonwealth; as well he that was excommunicated, as he that never was baptized, might enter into them by Commiſſion from the Civil Magiſtrate; as *Paul* before his Converſion entred into their Synagogues at *Damaſcus*, to apprehend Chriſtians, Men and Women, and carry them bound to *Jeruſalem*, by Commiſſion from the High Prieſt.

Acts ix. 2.

Of no Effect upon an Apoſtate:

By which it appears, that upon a Chriſtian, that ſhould become an Apoſtate, in a Place where the Civil Power did perſecute, or not aſſiſt the Church, the Effect of Excommunication had nothing in it, neither of Damage in this World, nor of Terror: Not of Terror, becauſe of their Unbelief; nor of Damage, becauſe they returned thereby into the Favour of the World; and in the World to come, were to be in no worſe Eſtate, than they which never had believed. The Damage redounded rather to the Church, by Provocation of them they caſt out, to a freer Execution of their Malice.

But upon the Faithful only.

Excommunication therefore had its Effect only upon thoſe that believed that *Jeſus Chriſt* was to come again in Glory, to reign over, and to judge both the Quick and the Dead, and ſhould therefore refuſe Entrance into his Kingdom, to thoſe whoſe Sins were retained; that is, to thoſe that were excommunicated by the Church. And thence it is that St. *Paul* calleth Excommunication, a Delivery of the excommunicate Perſon to Satan. For without the Kingdom of *Chriſt*, all other Kingdoms after Judgment, are comprehended in the Kingdom of Satan. This is it that the Faithful ſtood in fear of, as long as they ſtood excommunicate, that is to ſay, in an Eſtate wherein their Sins were not forgiven. Whereby we may underſtand, that Excommunication in the Time that Chriſtian Religion was not authoriſed by the Civil Power, was uſed only for a Correction of Manners, not of Errors in Opinion: for it is a Puniſhment, whereof none could be ſenſible but ſuch as believed, and expected the Coming again of our Saviour to judge the World; and they who ſo believed, needed no other Opinion, but only Uprightneſs of Life, to be ſaved.

For what Fault lieth Excommunication.

There lieth Excommunication for Injuſtice; as, *Matth.* xviii. If thy Brother offend thee, tell it him privately, then with Witneſſes; laſtly, tell the Church; and then if he obey not, *Let him be to thee as an Heathen Man, and a Publican.* And there lieth Excommunication for a ſcandalous Life, as, 1 *Cor.* v. 11. *If any Man that is called a Brother, be a Fornicator, or Covetous, or an Idolater, or a Drunkard, or an Extortioner, with ſuch a one ye are not to eat.* But to excommunicate a Man that held this Foundation, that *Jeſus was the Chriſt*, for Difference of Opinion in other Points, by which that Foundation was not deſtroyed, there appeareth no Authority in the Scripture, nor Example in the Apoſtles. There is indeed in St. *Paul*, *Titus* iii. 10. a Text that ſeemeth to be to the contrary. *A Man that is an Heretic, after the firſt and ſecond Admonition, reject.* For an *Heretic* is he, that being a Member of the Church, teacheth nevertheleſs ſome private Opinion, which the Church has forbidden: and ſuch a one, St. *Paul* adviſeth *Titus*, after the firſt and ſecond Admonition, to *reject*. But to *reject*, in this Place, is not to *excommunicate* the Man; but to *give over admoniſhing him, to let him alone, to ſet by diſputing with him*, as one that is to be convinced only by himſelf. The ſame Apoſtle ſaith, 2 *Tim.* ii. 23. *Fooliſh and unlearned Queſtions avoid:* The Word *avoid* in this Place, and *reject* in the former, is the ſame in the Original, παραιτȣ̃; but fooliſh Queſtions may be ſet by without Excommunication. And again, *Tit.* iii. 9. *Avoid fooliſh Queſtions*; where the original περιΐστασο, *ſet them by*, is equivalent to the former Word *reject*. There is no other Place that can ſo much as colourably be drawn, to countenance the caſting out of the Church faithful Men, ſuch as believed the Foundation, only for a ſingular Superſtructure of their own, proceeding perhaps from a good and pious Conſcience. But on the contrary, all ſuch Places as command avoiding ſuch Diſputes, are written for a Leſſon to Paſtors (ſuch as *Timothy* and *Titus* were) not to make new Articles of Faith, by determining every ſmall Controverſy, which oblige Men to a needleſs Burthen of Conſcience, or provoke them to break the Union of the Church. Which Leſſon the Apoſtles themſelves obſerved well. St. *Peter* and St. *Paul*, though their Controverſy were great, (as we may read in *Gal.* ii. 11.) yet they did not caſt one another out of the Church. Nevertheleſs, during the Apoſtles Times, there were other Paſtors that obſerved it not; as *Diotrephes*, 3 *John* 9, *&c.* who caſt out of the Church ſuch as St. *John* himſelf thought fit to be received into it, out of a Pride he took in Pre-eminence; ſo early it was, that Vain-glory and Ambition had found Entrance into the Church of *Chriſt*.

Of Perſons liable to Excommunication.

That a Man be liable to Excommunication, there may be many Conditions requiſite; as firſt, that he be a Member of ſome Commonalty, that is to ſay, of ſome lawful Aſſembly, that is to ſay, of ſome Chriſtian Church, that hath Power to judge of the Cauſe for which he is to be excommunicated. For where there is no Community, there can be no Excommunication; nor where there is no Power to judge, can there be any Power to give Sentence.

From hence it followeth, that one Church cannot be excommunicated by another: For either they have equal Power to excommunicate each other, in which caſe Excommunication is not Diſcipline, nor an Act of Authority, but Schiſm and Diſſolution of Charity; or one is ſo ſubordinate to the other, as that they both have but one Voice, and then they be but one Church; and the Part excommunicated, is no more a Church, but a diſſolute Number of individual Perſons.

And becauſe the Sentence of Excommunication, importeth an Advice, not to keep Company, nor ſo much as to eat with him that is Excommunicate, if a Sovereign Prince, or Aſſembly, be Excommunicate, the Sentence is of no Effect. For all Subjects are bound to be in the Company and Preſence of their own Sovereign (when he requireth it) by the Law of Nature; nor can they lawfully either expel him from any Place of his own Dominion, whether prophane or holy; nor go out of his Dominion without his Leave; much leſs (if he call them to that Honour) refuſe to eat with him. And as to other Princes and States, becauſe they are not Parts of one and the ſame Congregation, they need not any other Sentence to keep them from keeping Company with the State Excommunicate: for the very Inſtitution, as it uniteth many Men into one Community; ſo it diſſociateth one Community from another: So that Excommunication is not needful for keeping Kings and States aſunder; nor has any further Effect than is in the Nature of Policy itſelf; unleſs it be to inſtigate Princes to war upon one another.

Nor is the Excommunication of a Chriſtian Subject, that obeyeth the Laws of his own Sovereign, whether Chriſtian or Heathen, of any Effect. For if he believe that *Jeſus is the Chriſt*, *he hath the Spirit of God*, 1 John iv. 1. *and God dwelleth in him, and he in God*, 1 John iv. 15. But he that hath the Spirit of God; he that dwelleth in God; he in whom God dwelleth, can receive no Harm by the Excommunication of Men. Therefore, he that believeth *Jeſus* to be the Chriſt, is free from all the Dangers threatened to Perſons excommunicate. He that believeth it not, is no Chriſtian. Therefore a true and unfeigned Chriſtian is not liable to Excommunication: Nor he alſo that is a profeſſed Chriſtian, till his Hypocriſy appear in his Manners, that is, till his Behaviour be contrary to the Law of his Sovereign, which is the Rule of Manners, and which Chriſt and his Apoſtles have commanded us to be ſubject to. For the Church cannot judge of Manners but by external Actions, which Actions can never be unlawful, but when they are againſt the Law of the Commonwealth.

If a Man's Father, or Mother, or Maſter, be Excommunicate, yet are not the Children forbidden to keep them Company, nor to eat with them; for that were (for the moſt part) to oblige them not to eat at all, for want of Means to get Food; and to authoriſe them to diſobey their Parents and Maſters, contrary to the Precept of the Apoſtles.

In ſum, the Power of Excommunication cannot be extended further, than to the End for which the Apoſtles and Paſtors of the Church have their Commiſſion from our Saviour; which is not to rule by Command and Coaction, but by Teaching and Direction of Men in the Way of Salvation in the World to come. And as a Maſter in any Science, may abandon his Scholar, when he obſtinately neglecteth the Practice of his Rules; but not accuſe him of Injuſtice, becauſe he was never bound to obey him: ſo a Teacher of Chriſtian Doctrine may abandon his Diſciples that obſtinately continue in an unchriſtian Life; but he cannot ſay they do him wrong, becauſe they are not obliged to obey him: For to a Teacher that ſhall ſo complain, may be applied the Anſwer of God to *Samuel* in the like place, *They have not rejected thee, but me.* Excommunication therefore, when it wanteth the Aſſiſtance of the Civil Power, as it doth when a Chriſtian State, or Prince, is Excommunicate by a foreign Authority, is without Effect; and conſequently ought to be without Terror. The Name of *Fulmen Excommunicationis*, (that is, *the Thunderbolt of Excommunication)* proceeded from an Imagination of the Biſhop of *Rome*, which firſt uſed it, that he was King of Kings, as the Heathen made *Jupiter* King of the Gods; and aſſigned him in their Poems, and Pictures, a Thunderbolt, wherewith to ſubdue and puniſh the Giants, that ſhould dare to deny his Power: Which Imagination was grounded on two Errors; one, that the Kingdom of Chriſt is of this World, contrary to our Saviour's own Words, *My Kingdom is not of this World*; the other, that he is Chriſt's Vicar, not only over his own Subjects, but over all the Chriſtians of the World; whereof there is no Ground in Scripture, and the contrary ſhall be proved in its due Place.

1 Sam. viii.

Of the Interpreter of the Scriptures before Civil Sovereigns became Chriſtians.

St. *Paul* coming to *Theſſalonica*, where was a Synagogue of the *Jews*, *Acts* xvii. 2, 3. *As his manner was, went in unto them, and three Sabbath Days reaſoned with them out of the Scriptures, opening and alledging, that Chriſt muſt needs have ſuffered and riſen again from the Dead; and that this Jeſus whom he preached was the Chriſt.* The Scriptures here mentioned were the Scriptures of the *Jews*, that is, the Old Teſtament. The Men, to whom he was to prove that Jeſus was the Chriſt, and riſen again from the Dead, were alſo *Jews*, and did believe already, that they were the Word of God. Hereupon, as it is ver. 4. ſome of them believed, and, as it is in ver. 5. ſome of them believed not. What was the Reaſon, when they all believed the Scripture, that they did not all believe alike; but that ſome approved, others diſapproved, the Interpretation of St. *Paul* that cited them; and every one interpreted them to himſelf? It was this; St. *Paul* came to them without any legal

Commiſſion, and in the manner of one that would not command, but perſuade; which he muſt needs do, either by Miracles, as *Moſes* did to the *Iſraelites* in *Egypt*, that they might ſee his Authority in God's Works; or by Reaſoning from the already received Scripture, that they might ſee the Truth of his Doctrine in God's Word. But whoſoever perſuadeth by reaſoning from Principles written, maketh him to whom he ſpeaketh Judge, both of the Meaning of thoſe Principles, and alſo of the Force of his Inferences upon them. If theſe *Jews* of *Theſſalonica* were not, who elſe was the Judge of what St. *Paul* alledged out of Scripture? If St. *Paul*, what needed he to quote any Places to prove his Doctrine? It had been enough to have ſaid, I find it ſo in Scripture, that is to ſay, in your Laws, of which I am Interpreter, as ſent by Chriſt. The Interpreter therefore of the Scripture, to whoſe Interpretation the *Jews* of *Theſſalonica* were bound to ſtand, could be none: every one might believe or not believe, according as the Allegations ſeemed to himſelf to be agreeable, or not agreeable to the Meaning of the Places alledged. And generally in all Caſes of the World, he that pretendeth any Proof, maketh Judge of his Proof him to whom he addreſſeth his Speech. And as to the Caſe of the *Jews* in particular, they were bound by expreſs Words, *Deut*. xvii. to receive the Determination of all hard Queſtions, from the Prieſts and Judges of *Iſrael* for the Time being. But this is to be underſtood of the *Jews* that were yet unconverted.

For the Converſion of the *Gentiles*, there was no Uſe of alledging the Scriptures, which they believed not. The Apoſtles therefore laboured by Reaſon to confute their Idolatry; and that done, to perſuade them to the Faith of Chriſt, by their Teſtimony of his Life, and Reſurrection. So that there could not yet be any Controverſy concerning the Authority to interpret Scripture; ſeeing no Man was obliged during his Infidelity, to follow any Man's Interpretation of any Scripture, except his Sovereign's Interpretation of the Laws of his Country.

Let us now conſider the Converſion itſelf, and ſee what there was therein, that could be the Cauſe of ſuch an Obligation. Men were converted to no other Thing than to the Belief of that which the Apoſtes preached: and the Apoſtles preached nothing, but that Jeſus was the Chriſt, that is to ſay, the King that was to ſave them, and reign over them eternally in the World to come; and conſequently that he was not dead, but riſen again from the Dead, and gone up into Heaven, and ſhould come again one Day to judge the World, (which alſo ſhould riſe again to be judged) and reward every Man according to his Works. None of them preached that himſelf, or any other Apoſtle, was ſuch an Interpreter of the Scripture, as all that became Chriſtians, ought to take their Interpretation for Law. For to interpret the Laws, is Part of the Adminiſtration of a preſent Kingdom; which the Apoſtles had not. They prayed then, and all other Paſtors ever ſince, *Let thy Kingdom come*; and exhorted their Converts to obey their then Ethnic Princes. The New Teſtament was not yet publiſhed in one Body. Every of the Evangeliſts was Interpreter of his own Goſpel; and every Apoſtle of his own Epiſtle; and of the Old Teſtament, our Saviour himſelf ſaith to the *Jews*, *John* v. 39. *Search the Scriptures*; *for in them ye think to have eternal Life*, *and they are they that teſtify of me*. If he had not meant they ſhould interpret them, he would not have bidden them take thence the Proof of his being the Chriſt: He would either have interpreted them himſelf, or referred them to the Interpretation of the Prieſts.

When a Difficulty aroſe, the Apoſtles and Elders of the Church aſſembled themſelves together, and determined what ſhould be preached, and taught, and how they ſhould interpret the Scriptures to the People;

but took not from the People the Liberty to read, and interpret them to themſelves. The Apoſtles ſent divers Letters to the Churches, and other Writings for their Inſtruction; which had been in vain, if they had not allowed them to interpret, that is, to conſider the Meaning of them. And as it was in the Apoſtles Time, it muſt be till ſuch Time as there ſhould be Paſtors, that could authoriſe an Interpreter, whoſe Interpretation ſhould generally be ſtood to: But that could not be till Kings were Paſtors, or Paſtors Kings.

Of the Power to make Scripture Law.

There be two Senſes, wherein a Writing may be ſaid to be *Canonical*; for *Canon*, ſignifieth a *Rule*; and a Rule is a Precept, by which a Man is guided, and directed in any Action whatſoever. Such Precepts, though given by a Teacher to his Diſciple, or a Counſellor to his Friend, without Power to compel him to obſerve them, are nevertheleſs Canons, becauſe they are Rules: but when they are given by one, whom he that receiveth them is bound to obey, then are thoſe Canons not only Rules, but Laws: The Queſtion therefore here, is of the Power to make the Scriptures (which are the Rules of Chriſtian Faith) Laws.

Of the Ten Commandments.

That Part of the Scripture, which was firſt Law, was the Ten Commandments, written in two Tables of Stone, and delivered by God himſelf to *Moſes*; and by *Moſes* made known to the People. Before that Time there was no written Law of God, who as yet having not choſen any People to be his peculiar Kingdom, had given no Law to Men, but the Law of Nature, that is to ſay, the Precepts of natural Reaſon, written in every Man's own Heart. Of theſe two Tables, the firſt containeth the Law of Sovereignty; 1. That they ſhould not obey, nor honour the Gods of other Nations, in theſe Words, *Non habebis Deos alienos coram me*, that is, *Thou ſhalt not have for Gods, the Gods that other Nations worſhip; but only me:* whereby they were forbidden to obey, or honour, as their King and Governor, any other God, than him that ſpake unto them then by *Moſes*, and afterwards by the High Prieſt. 2. That they *ſhould not make any Image to repreſent him*; that is to ſay, they were not to chuſe to themſelves, neither in Heaven, nor in Earth, any Repreſentative of their own fancying, but obey *Moſes* and *Aaron*, whom he had appointed to that Office. 3. That *they ſhould not take the Name of God in vain*; that is, they ſhould not ſpeak raſhly of their King, nor diſpute his Right, nor the Commiſſions of *Moſes* and *Aaron*, his Lieutenants. 4. That *they ſhould every ſeventh Day abſtain from their ordinary Labour*, and employ that Time in doing him public Honour. The ſecond Table containeth the Duty of one Man towards another, as, *To honour Parents*; *Not to kill*; *Not to commit Adultery*; *Not to ſteal*; *Not to corrupt Judgment by falſe Witneſs*; and finally, *Not ſo much as to deſign in their Heart the doing of any Injury one to another*. The Queſtion now is, Who it was that gave to theſe written Tables the obligatory Force of Laws. There is no Doubt but they were made Laws by God himſelf: But becauſe a Law obliges not, nor is Law to any, but to them that acknowledge it to be the Act of the Sovereign; how could the People of *Iſrael*, that were forbidden to approach the Mountain to hear what God ſaid to *Moſes*, be obliged to Obedience to all thoſe Laws which *Moſes* propounded to them? Some of them were indeed the Laws of Nature, as all the ſecond Table; and therefore to be acknowledged for God's Laws; not to the *Iſraelites* alone, but to all People: But to thoſe that were peculiar to the *Iſraelites*, as thoſe of the firſt Table, the Queſtion remains; ſaving that they had obliged themſelves, preſently after the propounding of them, to obey *Moſes*, in theſe Words, *Exod.* xx. 19. *Speak thou to us, and we will hear thee; but let not God ſpeak to us, leſt we die*. It was therefore only *Moſes* then, and after him the High Prieſt, whom, by *Moſes*, God declared ſhould adminiſter this his peculiar Kingdom, that had on Earth the Power to make this ſhort Scripture of the Decalogue to be Law in the Commonwealth of *Iſrael*. But *Moſes*, and *Aaron*, and the ſucceeding High Prieſts, were the Civil Sovereigns. Therefore hitherto, the canonizing, or making of the Scripture Law, belonged to the Civil Sovereign.

Of the Judicial and Levitical Law.

The Judicial Law, that is to ſay, the Laws that God preſcribed to the Magiſtrates of *Iſrael*, for the Rule of their Adminiſtration of Juſtice, and of the Sentences or Judgments they ſhould pronounce, in Pleas between Man and Man; and the *Levitical* Law, that is to ſay, the Rule that God preſcribed touching the Rites and Ceremonies of the Prieſts and *Levites*, were all delivered to them by *Moſes* only; and therefore alſo became Laws, by Virtue of the ſame Promiſe of Obedience to *Moſes*. Whether theſe Laws were then written, or not written, but dictated to the People by *Moſes* (after his being forty Days with God in the Mount) by Word of Mouth, is not expreſſed in the Text; but they were all poſitive Laws, and equivalent to holy Scripture, and made canonical by *Moſes* the Civil Sovereign.

The ſecond Law.

After the *Iſraelites* were come into the Plains of *Moab* over-againſt *Jericho*, and ready to enter into the Land of Promiſe, *Moſes* to the former Laws added divers others; which therefore are called *Deuteronomy*; that is, *Second Laws*. And are, as it is written *Deut.* xxix. 1. *The Words of a Covenant which the Lord commanded Moſes to make with the Children of Iſrael, beſides the Covenant which he made with them in Horeb.* For having explained thoſe former Laws, in the beginning of the Book of *Deuteronomy*, he added others, that begin at the twelfth Chapter, and continue to the End of the twenty-ſixth of the ſame Book. This Law, *Deut.* xxvii. 1. they were commanded to write upon great Stones plaiſtered over, at their paſſing over *Jordan:* This Law alſo was written by *Moſes* himſelf in a Book, and delivered into the Hands of the *Prieſts, and to the Elders of Iſrael, Deut.* xxxi. 9. and commanded, verſe 26. *to be put in the Side of the Ark*; for in the Ark itſelf was nothing but the *Ten Commandments*. This was the Law which *Moſes*, *Deut.* xvii. 18. commanded the Kings of *Iſrael* ſhould keep a Copy of: And this is the Law, which having been long time loſt, was found again in the Temple in the Time of *Joſiah*, and by his Authority received for the Law of God. But both *Moſes* at the Writing, and *Joſiah* at the Recovery thereof, had both of them the Civil Sovereignty. Hitherto therefore the Power of making Scripture canonical, was in the Civil Sovereign.

Beſides this Book of the Law, there is no other Book, from the Time of *Moſes*, till after the Captivity, received amongſt the *Jews* for the Law of God. For the Prophets, except a few, lived in the Time of the Captivity itſelf, and the reſt lived but a little before it; and were ſo far from having their Prophecies generally received for Laws, as that their Perſons were perſecuted, partly by falſe Prophets, and partly by the Kings which were ſeduced by them. And this Book itſelf, which was confirmed by *Joſiah* for the Law of God, and with it all the Hiſtory of the Works of God, was loſt in the Captivity and Sack of the City of *Jeruſalem*, as appears by that of 2 *Eſdras* xiv. 21. *Thy Law is burnt, therefore no Man knoweth the Things that are done of thee, or the Works that ſhall begin.* And before the Captivity, between the Time when the Law was loſt (which is not mentioned in the Scripture, but may probably be thought to be the Time of *Rehoboam*, when * *Shiſhak* King of *Egypt* took the Spoil of the Temple) and the Time of *Joſiah*, when it was found again, they had no written Word of God, but ruled according

* 1 Kings xiv. 26.

cording to their own Diſcretion, or by the Direction of ſuch, as each of them eſteemed Prophets.

The Old Teſtament when made canonical.

From hence we may infer, that the Scriptures of the Old Teſtament, which we have at this Day, were not canonical, nor a Law unto the *Jews*, till the Renovation of their Covenant with God at their Return from the Captivity, and Reſtauration of their Commonwealth under *Eſdras*. But from that Time forward they were accounted the Law of the *Jews*, and for ſuch tranſlated into *Greek* by Seventy Elders of *Judea*, and put into the Library of *Ptolemy* at *Alexandria*, and approved for the Word of God. Now ſeeing *Eſdras* was the High Prieſt, and the High Prieſt was their Civil Sovereign, it is manifeſt, that the Scriptures were never made Laws, but by the Sovereign Civil Power.

The New Teſtament began to be canonical under Chriſtian Sovereigns.

By the Writings of the Fathers that lived in the Time before that the Chriſtian Religion was received, and authoriſed by *Conſtantine* the Emperor, we may find, that the Books we now have of the New Teſtament, were held by the Chriſtians of that Time (except a few, in reſpect of whoſe Paucity the reſt were called the Catholic Church, and others Heretics) for the Dictates of the Holy Ghoſt; and conſequently for the Canon, or Rule of Faith: ſuch was the Reverence and Opinion they had of their Teachers; as generally the Reverence that the Diſciples bear to their firſt Maſters, in all manner of Doctrine they receive from them, is not ſmall. Therefore there is no Doubt, but when St. *Paul* wrote to the Churches he had converted; or any other Apoſtle, or Diſciple of *Chriſt*, to thoſe which had then embraced *Chriſt*, they received thoſe their Writings for the true Chriſtian Doctrine. But in that Time, when not the Power and Authority of the Teacher, but the Faith of the Hearer cauſed them to receive it, it was not the Apoſtles that made their own Writings canonical, but every Convert made them ſo to himſelf.

But the Queſtion here, is not what any Chriſtian made a Law, or Canon to himſelf, (which he might again reject, by the ſame Right he received it;) but what was ſo made a Canon to them, as without Injuſtice they could not do any thing contrary thereunto. That the New Teſtament ſhould in this Senſe be canonical, that is to ſay, a Law in any Place where the Law of the Commonwealth had not made it ſo, is contrary to the Nature of a Law. For a Law (as hath been already ſhewn) is the Commandment of that Man, or Aſſembly, to whom we have given Sovereign Authority, to make ſuch Rules for the Direction of our Actions, as he ſhall think fit; and to puniſh us, when we do any thing contrary to the ſame. When therefore any other Man ſhall offer unto us any other Rules, which the Sovereign Ruler hath not preſcribed, they are but Counſel and Advice; which, whether good or bad, he that is counſelled, may without Injuſtice refuſe to obſerve; and when contrary to the Laws already eſtabliſhed, without Injuſtice cannot obſerve, how good ſoever he conceiveth it to be. I ſay, he cannot in this Caſe obſerve the ſame in his Actions, nor in his Diſcourſe with other Men; though he may without Blame believe his private Teachers, and wiſh he had the Liberty to practiſe their Advice; and that it were publicly received for Law. For internal Faith is in its own Nature inviſible, and conſequently exempted from all human Juriſdiction; whereas the Words and Actions that proceed from it, as Breaches of our Civil Obedience, are Injuſtice both before God and Man. Seeing then our Saviour hath denied his Kingdom to be in this World, ſeeing he hath ſaid, he came not to judge, but to ſave the World, he hath not ſubjected us to other Laws than thoſe of the Commonwealth; that is, the *Jews* to the Law of *Moſes*, (which he ſaith, *Matth*. v. he came not to deſtroy, but to fulfill) and other Nations to the Laws of their ſeveral Sovereigns, and all Men to the Laws of Nature; the obſerving whereof, both he himſelf and his Apoſtles, have in their Teaching recommended to us, as a neceſſary Condition of being admitted by him in the laſt Day into his eternal Kingdom, wherein ſhall be Protection, and Life everlaſting. Seeing then our Saviour, and his Apoſtles, left not new Laws to oblige us in this World, but new Doctrine to prepare us for the next; the Books of the New Teſtament, which contain that Doctrine, until Obedience to them was commanded, by them that God had given Power to on Earth to be Legiſlators, were not obligatory Canons, that is, Laws, but only good and ſafe Advice, for the Direction of Sinners in the Way to Salvation, which every Man might take, and refuſe at his own Peril, without Injuſtice.

Again, our Saviour *Chriſt*'s Commiſſion to his Apoſtles and Diſciples, was to proclaim his Kingdom, not preſent, but to come; and to teach all Nations; and to baptize them that ſhould believe; and to enter into the Houſes of them that ſhould receive them; and where they were not received, to ſhake off the Duſt of their Feet againſt them; but not to call for Fire from Heaven to deſtroy them, nor to compel them to Obedience by the Sword. In all which there is nothing of Power, but of Perſuaſion. He ſent them out as Sheep unto Wolves, not as Kings to their Subjects. They had not in Commiſſion to make Laws; but to obey, and teach Obedience to Laws made; and conſequently they could not make their Writings obligatory Canons, without the Help of the Sovereign Civil Power. And therefore the Scripture of the New Teſtament is there only Law, where the lawful Civil Power hath made it ſo. And there alſo the King or Sovereign maketh it a Law to himſelf; by which he ſubjecteth himſelf, not to the Doctor or Apoſtle that converted him, but to God himſelf, and his Son *Jeſus Chriſt*, as immediately as did the Apoſtles themſelves.

Of the Power of Councils to make the Scriptures Law.

That which may ſeem to give the New Teſtament, in reſpect of thoſe that have embraced Chriſtian Doctrine, the Force of Laws, in the Times, and Places of Perſecution, is the Decrees they made amongſt themſelves in their Synods. For we read, *Acts* xv. 28. the Stile of the Council of the Apoſtles, the Elders, and the whole Church, in this Manner, *It ſeemed good to the Holy Ghoſt, and to Us, to lay upon you no greater Burthen than theſe neceſſary Things, &c.* which is a Stile that ſignifieth a Power to lay a Burthen on them that had received their Doctrine. Now *to lay a Burthen on another*, ſeemeth the ſame as *to oblige*; and therefore the Acts of that Council were Laws to the then Chriſtians. Nevertheleſs, they were no more Laws than are theſe other Precepts, *Repent*; *be baptized*; *keep the Commandments*; *believe the Goſpel*; *come unto me*; *ſell all that thou haſt*; *give it to the poor*; and, *follow me*; which are not Commands but Invitations, and Callings of Men to Chriſtianity, like that of *Iſaiah* lv. 1. *Ho, every Man that thirſteth, come ye to the Waters, come, and buy Wine and Milk without Money.* For firſt, the Apoſtles Power was no other than that of our Saviour, to invite Men to embrace the Kingdom of God; which they themſelves acknowledged for a Kingdom (not preſent, but) to come; and they that have no Kingdom, can make no Laws. And ſecondly, if their Acts of Council were Laws, they could not without Sin be diſobeyed. But we read not any where, that they who received not the Doctrine of Chriſt, did therein ſin, but that they died in their Sins; that is, that their Sins againſt the Laws to which they owed Obedience, were not pardoned. And thoſe Laws were the Laws of Nature, and the Civil Laws of the State, whereto every Chriſtian Man had by Pact ſubmitted himſelf. And therefore by the Burthens, which the Apoſtles might lay on ſuch as they had converted, are not to be underſtood Laws, but Conditions, propoſed to thoſe that ſought Salvation; which they might accept, or refuſe at their own Peril, without a new Sin, though not without the Hazard of being condemned and excluded out of the Kingdom of God for their Sins paſt. And therefore of Infidels, St. *John* ſaith not, the Wrath of God ſhall *come* upon them, but *the Wrath of God remaineth upon them*; and not that they ſhall be condemned; but that *they are condemned already*. Nor can it be conceived, that the Benefit of Faith, *is Remiſſion of Sins*, unleſs we conceive withal that the Damage of Infidelity, is *the Retention of the ſame Sins*.

John iii. 36.
John iii. 18.

But to what End is it (may ſome Man aſk) that the Apoſtles, and other Paſtors of the Church after their Time, ſhould meet together, to agree upon what Doctrine ſhould be taught, both for Faith and Manners, if no Man were obliged to obſerve their Decrees? To this may be anſwered, that the Apoſtles, and Elders of that Council, were obliged even by their Entrance into it, to teach the Doctrine therein concluded and decreed to be taught, ſo far forth, as no precedent Law, to which they were obliged to yield Obedience, was to the contrary; but not that all other Chriſtians ſhould be obliged to obſerve what they taught. For though they might deliberate what each of them ſhould teach; yet they could not deliberate what others ſhould do, unleſs their Aſſembly had a Legiſlative Power; which none could have but Civil Sovereigns. For though God be the Sovereign of all the World, we are not bound to take for his Law, whatſoever is propounded by every Man in his Name; nor any thing contrary to the Civil Law, which God hath expreſly commanded us to obey.

Seeing then the Acts of Council of the Apoſtles, were then no Laws but Counſels; much leſs are Laws the Acts of any other Doctors or Councils ſince, if aſſembled without the Authority of the Civil Sovereign. And conſequently the Books of the New Teſtament, though moſt perfect Rules of Chriſtian Doctrine, could not be made Laws by any other Authority than that of Kings, or Sovereign Aſſemblies.

The firſt Council, that made the Scriptures we now have, Canon, is not extant: For that Collection of the Canons of the Apoſtles, attributed to *Clemens*, the firſt Biſhop of *Rome* after St. *Peter*, is ſubject to Queſtion: For though the canonical Books be there reckoned up; yet theſe Words, *Sint vobis omnibus Clericis & Laicis Libri venerandi*, *&c.* contain a Diſtinction of Clergy, and Laity, that was not in Uſe ſo near St. *Peter*'s Time. The firſt Council for ſettling the Canonical Scripture, that is extant, is that of *Laodicea*, *Can.* 59. which forbids the Reading of other Books than thoſe in the Churches; which is a Mandate that is not addreſſed to every Chriſtian, but to thoſe only that had Authority to read any thing publicly in the Church; that is, to Eccleſiaſtics only.

Of the Right of conſtituting Eccleſiaſtical Officers in the Time of the Apoſtles.

Of Eccleſiaſtical Officers in the Time of the Apoſtles, ſome were Magiſterial, ſome Miniſterial. Magiſterial were the Offices of preaching the Goſpel of the Kingdom of God to Infidels; of adminiſtring the Sacraments, and divine Service; and of teaching the Rules of Faith and Manners to thoſe that were converted. Miniſterial was the Office of Deacons, that is, of them that were appointed to the Adminiſtration of the ſecular Neceſſities of the Church, at ſuch Time as they lived upon a common Stock of Money, raiſed out of the voluntary Contributions of the Faithful.

Amongſt the Officers Magiſterial, the firſt and principal were the Apoſtles: whereof there were at firſt but twelve; and theſe were choſen and conſtituted by our Saviour himſelf; and their Office was not only to preach, teach, and baptize, but alſo to be Martyrs, (Witneſſes of our Saviour's Reſurrection.) This Teſtimony, was the ſpecifical and eſſential Mark, whereby the Apoſtleſhip was diſtinguiſhed from other Magiſtracy Eccleſiaſtical; as being neceſſary for an Apoſtle, either to have ſeen our Saviour after his Reſurrection, or to have converſed with him before and ſeen his Works, and other Arguments of his Divinity, whereby they might be taken for ſufficient Witneſſes. And therefore at the Election of a new Apoſtle in the Place of *Judas Iſcariot*, St. *Peter* ſaith, *Acts* i. 21, 22. *Of theſe Men that companied with us, all the time that the Lord Jeſus went in and out among us, beginning from the Baptiſm of John unto that ſame Day that he was taken up from us*, muſt *one be ordained to be a* Witneſs *with us of his Reſurrection*: where, by this Word *muſt*, is implied a neceſſary Property of an Apoſtle, to have companied with the firſt and prime Apoſtles in the Time that our Saviour manifeſted himſelf in the Fleſh.

Matthias made Apoſtle by the Congregation.

The firſt Apoſtle, of thoſe which were not conſtituted by Chriſt in the Time he was upon the Earth, was *Matthias*, choſen in this Manner: There were aſſembled together in *Jeruſalem* about 120 Chriſtians, *Acts* i. 15. Theſe appointed two, *Joſeph* the *Juſt*, and *Matthias*, ver. 23. and cauſed Lots to be drawn; *and*, ver. 26. *the Lot fell on Matthias, and he was numbered with the Apoſtles.* So that here we ſee the Ordination of this Apoſtle, was the Act of the Congregation, and not of St. *Peter*, nor of the eleven, otherwiſe than as Members of the Aſſembly.

Paul and Barnabas made Apoſtles by the Church of Antioch.

After him there was never any other Apoſtle ordained, but *Paul* and *Barnabas*; which was done, as we read, *Acts* xiii. 1, 2, 3. in this Manner: *There were in the Church that was at Antioch, certain Prophets and Teachers; as Barnabas, and Simeon that was called Niger, and Lucius of Cyrene, and Manaen, which had been brought up with Herod the Tetrarch, and Saul. As they miniſtred unto the Lord, and faſted, the Holy Ghoſt ſaid, Separate me Barnabas and Saul for the Work whereunto I have called them, And when they had faſted and prayed, and laid their Hands on them, they ſent them away.*

By which it is manifeſt, that though they were called by the Holy Ghoſt, their Calling was declared unto them, and their Miſſion authoriſed by the particular Church of *Antioch*. And that this their Calling was to the Apoſtleſhip, is apparent by that, that they are both called, *Acts* xiv. 4. Apoſtles: And that it was by Virtue of this Act of the Church of *Antioch*, that they were Apoſtles, St. *Paul* declareth plainly, *Rom.* i. 1. in that he uſeth the Word, which the Holy Ghoſt uſed at his Calling: For he ſtileth himſelf, *An Apoſtle ſeparated unto the Goſpel of God*; alluding to the Words of the Holy Ghoſt, *Separate me Barnabas and Saul, &c.* But ſeeing the Work of an Apoſtle, was to be a Witneſs of the Reſurrection of Chriſt, a Man may here aſk, how St. *Paul*, that converſed not with our Saviour before his Paſſion, could know he was riſen. To which is eaſily anſwered, that our Saviour himſelf appeared to him in the Way to *Damaſcus*, from Heaven, after his Aſcenſion; *and choſe him for a Veſſel to bear his Name before the Gentiles, and Kings, and Children of Iſrael*; and conſequently (having ſeen the Lord after his Paſſion) was a competent Witneſs of his Reſurrection: And as for *Barnabas*, he was a Diſciple before the Paſſion. It is therefore evident that *Paul* and *Barnabas* were Apoſtles; and yet choſen and authoriſed, (not by the firſt Apoſtles alone, but) by the Church of *Antioch*; as *Matthias* was choſen, and authoriſed by the Church of *Jeruſalem*.

What Offices in the Church are Magiſterial.

Biſhop, a Word formed in our Language, out of the *Greek*, *Epiſcopus*, ſignifieth an Overſeer, or Superintendent of any Buſineſs, and particularly a Paſtor, or Shepherd; and thence by Metaphor was taken, not only amongſt the *Jews* that were originally Shepherds, but alſo amongſt the Heathen, to ſignify the Office of a King, or any other Ruler or

Guide of People, whether he ruled by Laws or Doctrine. And ſo the Apoſtles were the firſt Chriſtian Biſhops, inſtituted by Chriſt himſelf: in which Senſe the Apoſtleſhip of *Judas* is called, *Acts* i. 20. *his Biſhoprick.* And afterwards, when there were conſtituted Elders in the Chriſtian Churches, with Charge to guide Chriſt's Flock by their Doctrine, and Advice; theſe Elders were alſo called Biſhops. *Timothy* was an Elder (which Word *Elder*, in the New Teſtament, is a Name of Office, as well as of Age;) yet he was alſo a Biſhop. And Biſhops were then content with the Title of Elders. Nay, St. *John* himſelf, the Apoſtle beloved of our Lord, beginneth his Second Epiſtle with theſe Words, *The Elder to the Elect Lady.* By which it is evident, that *Biſhop*, *Paſtor*, *Elder*, *Doctor*, that is to ſay, *Teacher*, were but ſo many divers Names of the ſame Office in the Time of the Apoſtles. For there was then no Government by Coercion, but only by Doctrine and Perſuading. The Kingdom of God was yet to come, in a new World; ſo that there could be no Authority to compel in any Church, till the Commonwealth had embraced the Chriſtian Faith; and conſequently no Diverſity of Authority, though there were Diverſity of Employments.

Beſides theſe magiſterial Employments in the Church; namely, Apoſtles, Biſhops, Elders, Paſtors, and Doctors, whoſe Calling was to proclaim Chriſt to the *Jews*, and Infidels, and to direct, and teach thoſe that believed, we read in the New Teſtament of no other. For by the Names of *Evangeliſts* and *Prophets*, is not ſignified any Office, but ſeveral Gifts, by which ſeveral Men were profitable to the Church: as Evangeliſts, by writing the Life and Acts of our Saviour; ſuch as were St. *Matthew* and St *John* Apoſtles, and St. *Mark* and St. *Luke* Diſciples, and whoſoever elſe wrote of that Subject (as St. *Thomas* and St. *Barnabas* are ſaid to have done, though the Church have not received the Books that have gone under their Names:) and as Prophets, by the Gift of interpreting the Old Teſtament; and ſometimes by declaring their ſpecial Revelations to the Church. For neither theſe Gifts, nor the Gifts of Languages, nor the Gift of caſting out Devils, or of curing other Diſeaſes, nor any thing elſe, did make an Officer in the Church, ſave only the due Calling and Election to the Charge of Teaching.

Ordination of Teachers.

As the Apoſtles, *Matthias*, *Paul*, and *Barnabas*, were not made by our Saviour himſelf, but were elected by the Church, that is, by the Aſſembly of Chriſtians; namely, *Matthias* by the Church of *Jeruſalem*, and *Paul* and *Barnabas* by the Church of *Antioch*; ſo were alſo the *Preſbyters*, and *Paſtors* in other Cities, elected by the Churches of thoſe Cities. For Proof whereof, let us conſider, firſt, how St. *Paul* proceeded in the Ordination of Preſbyters, in the Cities where he had converted Men to the Chriſtian Faith, immediately after he and *Barnabas* had received their Apoſtleſhip. We read, *Acts* xiv. 23. that *they ordained Elders in every Church*; which at firſt Sight may be taken for an Argument, that they themſelves choſe, and gave them their Authority: But if we conſider the original Text, it will be manifeſt, that they were authoriſed, and choſen by the Aſſembly of the Chriſtians of each City. For the Words there are, χειροτονήσαντες ἀυτοῖς πρεσβυτέρους κατ' ἐκκλησίαν, that is, *When they had ordained them Elders by the Holding up of Hands in every Congregation.* Now it is well enough known, that in all thoſe Cities, the manner of chuſing Magiſtrates and Officers, was by Plurality of Suffrages; and (becauſe the ordinary way of diſtinguiſhing the Affirmative Votes from the Negatives, was by Holding up of Hands) to ordain an Officer in any of the Cities, was no more but to bring the People together, to elect them by Plurality of Votes, whether it were by Plurality of elevated Hands, or by Plurality of Voices, or Plurality of Balls, or Beans, or ſmall Stones, of which every Man caſt in one, marked for the Affirmative, or Negative; for divers Cities had divers Cuſtoms in that Point. It was therefore the Aſſembly that elected their own Elders: the Apoſtles were only Preſidents of the Aſſembly to call them together for ſuch Election, and to pronounce them elected, and to give them the Benediction, which is now called Conſecration. And for this Cauſe they that were Preſidents of the Aſſemblies, as, in the Abſence of the Apoſtles, the Elders were, were called προεςῶτες, and in *Latin*, *Antiſtites*; which Words ſignify the principal Perſon of the Aſſembly, whoſe Office was to number the Votes, and to declare thereby who was choſen; and where the Votes were equal, to decide the Matter in Queſtion, by adding his own; which is the Office of a Preſident in Council. And (becauſe all the Churches had their Preſbyters ordained in the ſame manner) where the Word is *Conſtitute*, as *Titus* i. 5. ἵνα καταςήσης κατὰ πόλιν πρεσβυτέρȣς, *For this Cauſe left I thee in Crete, that thou ſhouldeſt conſtitute Elders in every City*, we are to underſtand the ſame Thing; namely, that he ſhould call the Faithful together, and ordain them Preſbyters by Plurality of Suffrages. It had been a ſtrange Thing, if in a Town, where Men perhaps had never ſeen any Magiſtrate otherwiſe choſen than by an Aſſembly, thoſe of the Town becoming Chriſtians, ſhould ſo much as have thought on any other way of Election of their Teachers, and Guides, that is to ſay, of their Preſbyters, (otherwiſe called Biſhops) than this of Plurality of Suffrages, intimated by St. *Paul*, *Acts* xiv. 23, in the Word χειροτονήσαντες: Nor was there ever any chuſing of Biſhops (before the Emperors found it neceſſary to regulate them in order to the keeping of the Peace amongſt them) but by the Aſſemblies of the Chriſtians in every ſeveral Town.

The ſame is alſo confirmed by the continual Practice even to this Day, in the Election of the Biſhops of *Rome*. For if the Biſhop of any Place, had the Right of chuſing another, to the Succeſſion of the Paſtoral Office, in any City, at ſuch Time as he went from thence, to plant the ſame in another Place; much more had he the Right to appoint his Succeſſor in that Place, in which he laſt reſided and died: And we find not, that ever any Biſhop of *Rome* appointed his Succeſſor. For they were a long Time choſen by the People, as we may ſee by the Sedition raiſed about the Election, between *Damaſus* and *Urſicinus*; which *Ammianus Marcellinus* ſaith was ſo great, that *Juventius* the Præfect, unable to keep the Peace between them, was forced to go out of the City; and that there were above an hundred Men found dead upon that Occaſion in the Church itſelf. And though they afterwards were choſen, firſt, by the whole Clergy of *Rome*, and afterwards by the Cardinals; yet never any was appointed to the Succeſſion by his Predeceſſor. If therefore they pretended no Right to appoint their own Succeſſors, I think I may reaſonably conclude, they had no Right to appoint the Succeſſors of other Biſhops, without receiving ſome new Power; which none could take from the Church to beſtow on them, but ſuch as had a lawful Authority, not only to teach, but to command the Church; which none could do but the Civil Sovereign.

Miniſters of the Church, what:

The Word *Miniſter*, in the Original Διάκονος, ſignifieth one that voluntarily doth the Buſineſs of another Man; and differeth from a Servant only in this, that Servants are obliged by their Condition, to what is commanded them; whereas Miniſters are obliged only by their Undertaking, and bound therefore to no more than that they have undertaken: So that both they that teach the Word of God, and they that adminiſter the ſecular Affairs of the Church, are both Miniſters, but they are Miniſters of different Perſons. For the Paſtors of the Church, called, *Acts* vi. 4. *The Miniſters of the Word*, are Miniſters of *Chriſt*, whoſe Word it is: But the Miniſtry of a *Deacon*, which is called, verſe 2. of the ſame Chapter, *Serving of Tables*, is a Service done to the Church or Congregation: So that neither any one Man, nor the whole Church, could ever of their Paſtor ſay, he was their Miniſter; but of a Deacon, whether the Charge he undertook were to ſerve Tables, or diſtribute Maintenance to the Chriſtians, when they lived in each City on a common Stock, or upon Collections, as in the firſt Times, or to take Care of the Houſe of Prayer, or of the Revenue, or other worldly Buſineſs of the Church, the whole Congregation might properly call him their Miniſter.

For their Employment, as Deacons, was to ſerve the Congregation; though upon Occaſion they omitted not to preach the Goſpel, and mainait the Doctrine of *Chriſt*, every one according to his Gifts, as S - *S phen* did; and both to preach and baptize, as *Philip* did: For that *Philip*, which, *Acts* viii. 5. preached the Goſpel at *Samaria*, and, verſe 38. baptized the Eunuch, was *Philip* the Deacon, not *Philip* the Apoſtle. For it is manifeſt, verſe 1. that when *Philip* preached in *Samaria*, the Apoſtles were at *Jeruſalem*, and, verſe 14. *when they heard that Samaria had received the Word of* God, *ſent Peter and John to them*; by Impoſition of whoſe Hands, they that were baptized, verſe 15. received (which before by the Baptiſm of *Philip* they had not received) the Holy Ghoſt. For it was neceſſary for the conferring of the Holy Ghoſt, that their Baptiſm ſhould be adminiſtered, or confirmed by a Miniſter of the Word, not by a Miniſter of the Church. And therefore to confirm the Baptiſm of thoſe that *Philip* the Deacon had baptized, the Apoſtles ſent out of their own Number from *Jeruſalem* to *Samaria*, *Peter* and *John*; who conferred on them that before were but baptized, thoſe Graces that were Signs of the Holy Spirit, which at that Time did accompany all true Believers; which what they were may be underſtood by that which St. *Mark* ſaith, chap. xvi. 17. *Theſe Signs follow them that believe in my Name*; *they ſhall caſt out Devils*; *they ſhall ſpeak with new Tongues*; *they ſhall take up Serpents, and if they drink any deadly thing, it ſhall not hurt them*; *they ſhall lay Hands on the Sick, and they ſhall recover*. This to do, was it that *Philip* could not give; but the Apoſtles could, and (as appears by this Place) effectually did to every Man that truly believed, and was by a Miniſter of Chriſt himſelf baptized: which Power either Chriſt's Miniſters in this Age cannot confer, or elſe there are very few true Believers, or Chriſt hath very few Miniſters.

And how choſen.

That the firſt Deacons were choſen, not by the Apoſtles, but by a Congregation of the Diſciples, that is, of Chriſtian Men of all Sorts, is manifeſt out of *Acts* vi. where we read that the *Twelve*, after the Number of Diſciples was multiplied, called them together, and having told them, that it was not fit that the Apoſtles ſhould leave the Word of God, and ſerve Tables, ſaid to them, ver. 3. *Brethren, look you out among you ſeven Men of honeſt Report, full of the Holy Ghoſt, and of Wiſdom, whom we may appoint over this Buſineſs.* Here it is manifeſt, that though the Apoſtles declared them elected; yet the Congregation choſe them; which alſo, ver. 5. is more expreſly ſaid, where it is written, that *the Saying pleaſed the Multitude, and they choſe ſeven*, &c.

Of Eccleſiaſtical Revenue, under the Law of Moſes.

Under the Old Teſtament, the Tribe of *Levi* were only capable of the Prieſthood, and other inferior Offices of the Church. The Land was divided amongſt the other Tribes, (*Levi* excepted) which by the Subdiviſion of the Tribe of *Joſeph*, into *Ephraim* and *Manaſſeh*, were ſtill twelve. To the Tribe of *Levi* were aſſigned certain Cities for their

Habitation, with the Suburbs for their Cattle: but for their Portion, they were to have the Tenth of the Fruits of the Land of their Brethren. Again, the Prieſts for their Maintenance had the Tenth of that Tenth, together with Part of the Oblations, and Sacrifices. For God had ſaid to *Aaron, Numb.* xviii. 20. *Thou ſhalt have no Inheritance in their Land, neither ſhalt thou have any Part amongſt them; I am thy Part, and thine Inheritance amongſt the Children of Iſrael.* For God being then King, and having conſtituted the Tribe of *Levi* to be his public Miniſters, he allowed them for their Maintenance, the public Revenue, that is to ſay, the Part that God had reſerved to himſelf; which were Tythes and Offerings: and that is it which is meant, where God ſaith, I am thine Inheritance. And therefore to the *Levites* might not unfitly be attributed the Name of *Clergy*, from Κλῆρος, which ſignifieth Lot, or Inheritance; not that they were Heirs of the Kingdom of God, more than other; but that God's Inheritance was their Maintenance. Now ſeeing in this Time God himſelf was their King, and *Moſes*, *Aaron*, and the ſucceeding High Prieſts, were his Lieutenants; it is manifeſt, that the Right of Tythes and Offerings was conſtituted by the Civil Power.

After their Rejection of God in the demanding of a King, they enjoyed the ſame Revenue; but the Right thereof was derived from that, that the Kings did never take it from them: for the public Revenue was at the diſpoſing of him that was the public Perſon; and that, till the Captivity, was the King. And again, after the Return from the Captivity, they paid their Tythes, as before, to the Prieſt. Hitherto therefore Church Livings were determined by the Civil Sovereign.

In our Saviour's Time, and after.

Mat. x. 9,10.

Of the Maintenance of our Saviour, and his Apoſtles, we read only they had a Purſe, (which was carried by *Judas Iſcariot;*) and, that of the Apoſtles, ſuch as were Fiſhermen, did ſometimes uſe their Trade; and that when our Saviour ſent the Twelve Apoſtles to preach, he forbad them *to carry Gold, and Silver, and Braſs in their Purſes, for that the Workman is worthy of his Hire:* By which it is probable, their ordinary Maintenance was not unſuitable to their Employment; for their Employment was, ver. 8. *freely to give, becauſe they had freely received;* and their Maintenance was the *free Gift* of thoſe that believed the good Tidings they carried about of the coming of the Meſſiah their Saviour. To which we may add, that which was contributed out of Gratitude; by ſuch as our Saviour had healed of Diſeaſes; of which are mentioned *certain Women* (Luke viii. 2, 3.) *which had been healed of evil Spirits and Infirmities; Mary Magdalen, out of whom went ſeven Devils; and Joanna the Wife of Chuza, Herod's Steward; and Suſanna, and many others, which miniſtred unto him of their Subſtance.*

* Acts iv. 34.

After our Saviour's Aſcenſion, the Chriſtians of every City lived in common, * upon the Money which was made of the Sale of their Lands and Poſſeſſions, and laid down at the Feet of the Apoſtles, of good Will, not of Duty; for *whilſt the Land remained* (ſaith St. *Peter* to *Ananias, Acts* v. 4.) *was it not thine? and after it was ſold, was it not in thy Power?* which ſheweth, he needed not have ſaved his Land, nor his Money by Lying, as not being bound to contribute any thing at all, unleſs he had pleaſed. And as in the Time of the Apoſtles, ſo alſo all the Time downward, till after *Conſtantine the Great*, we ſhall find, that the Maintenance of the Biſhops and Paſtors of the Chriſtian Church, was nothing but the voluntary Contribution of them that had embraced their Doctrine. There was yet no mention of Tythes: but ſuch was in the Time of *Conſtantine*, and his Sons, the Affection of Chriſtians to their Paſtors, as *Ammianus Marcellinus* ſaith (deſcribing the Sedition of *Damaſus* and *Urſicinus* about the Biſhoprick) that it was worth their

Contention, in that the Biſhops of thoſe Times by the Liberality of their Flock, and eſpecially of Matrons, lived ſplendidly, were carried in Coaches, and were ſumptuous in their Fare and Apparel.

The Miniſters of the Goſpel lived on the Benevolence of their Flocks. 1 Cor. ix. 13.

But here may ſome aſk, whether the Paſtor were then bound to live upon voluntary Contribution, as upon Alms, *For who* (ſaith St. *Paul*, 1 *Cor.* ix. 7.) *goeth to War at his own Charges? or who feedeth a Flock, and eateth not of the Milk of the Flock?* And again, *Do ye not know that they which miniſter about holy Things, live of the Things of the Temple; and they which wait at the Altar, partake with the Altar*; that is to ſay, have Part of that which is offered at the Altar for their Maintenance? And then he concludeth, *Even ſo hath the Lord appointed, that they which preach the Goſpel ſhould live of the Goſpel.* From which Place may be inferred indeed, that the Paſtors of the Church ought to be maintained by their Flocks; but not that the Paſtors were to determine, either the Quantity, or the Kind of their own Allowance, and be, as it were, their own Carvers. Their Allowance muſt needs therefore be determined, either by the Gratitude and Liberality of every particular Man of their Flock, or by the whole Congregation. By the whole Congregation it could not be, becauſe their Acts were then no Laws: therefore the Maintenance of Paſtors, before Emperors and Civil Sovereigns had made Laws to ſettle it, was nothing but Benevolence. They that ſerved at the Altar lived on what was offered. So may the Paſtors alſo take what is offered them by their Flock; but not exact what is not offered. In what Court ſhould they ſue for it, who had no Tribunals? Or if they had Tribunals among themſelves, who ſhould execute their Judgments, when they had no Power to arm their Officers? It remaineth therefore, that there could be no certain Maintenance aſſigned to any Paſtors of the Church, but by the whole Congregation; and then only, when their Decrees ſhould have the Force, not only of *Canons*, but alſo of *Laws*; which could not be made, but by the Emperors, Kings, or other Civil Sovereigns. The Right of Tythes in *Moſes* Law, could not be applied to the then Miniſters of the Goſpel; becauſe *Moſes* and the High Prieſts were the Civil Sovereigns of the People under God, whoſe Kingdom amongſt the *Jews* was preſent; whereas the Kingdom of God by Chriſt is yet to come.

Hitherto hath been ſhewn what the Paſtors of the Church are; what are the Points of their Commiſſion, (as that they were to preach, to teach, to baptize, to be Preſidents in their ſeveral Congregations) what is Eccleſiaſtical Cenſure, *viz.* Excommunication, that is to ſay, in thoſe Places where Chriſtianity was by the Civil Law commanded, a putting the Excommunicate out of the Congregations of Chriſtians; who elected the Paſtors and Miniſters of the Church, (that it was, the Congregation;) who conſecrated and bleſſed them, (that it was the Paſtor;) what was their due Revenue, (that it was none but their own Poſſeſſions, and their own Labour, and the voluntary Contributions of devout and grateful Chriſtians.) We are to conſider now, what Office in the Church thoſe Perſons have, who being Civil Sovereigns, have embraced alſo the Chriſtian Faith.

That the Civil Sovereign being a Chriſtian, hath the Right of appointing Paſtors.

And firſt, we are to remember, that the Right of judging what Doctrines are fit for Peace, and to be taught the Subjects, is in all Commonwealths inſeparably annexed, as hath been already proved in Chapter XVIII. to the Sovereign Civil Power, whether it be in one Man, or in an Aſſembly of Men. For it is evident to the meaneſt Capacity, that Men's Actions are derived from the Opinions they have of the Good, or Evil, which from thoſe Actions redound unto themſelves; and conſequently, Men that are once poſſeſſed of an Opinion, that their Obedience to the Sovereign Power, will be more hurtful to them, than their Diſobedience, will diſobey the Laws, and thereby overthrow the Commonwealth, and introduce Confuſion and Civil War; for the avoiding whereof, all Civil Government was ordained. And therefore in all Commonwealths of the Heathen, the Sovereigns have had the Name of Paſtors of the People, becauſe there was no Subject that could lawfully teach the People, but by their Permiſſion and Authority.

This Right of the Heathen Kings cannot be thought taken from them by their Converſion to the Faith of Chriſt; who never ordained, that Kings for believing in him ſhould be depoſed, that is, ſubjected to any but himſelf, or, which is all one, be deprived of the Power neceſſary for the Conſervation of Peace amongſt their Subjects, and for their Defence againſt foreign Enemies. And therefore Chriſtian Kings are ſtill the Supreme Paſtors of their People, and have Power to ordain what Paſtors they pleaſe, to teach the Church, that is, to teach the People committed to their Charge.

Again, let the Right of chuſing them be (as before the Converſion of Kings) in the Church, for ſo it was in the Time of the Apoſtles themſelves, as hath been ſhewn already in this Chapter; even ſo alſo the Right will be in the Civil Sovereign, Chriſtian. For in that he is a Chriſtian, he allows the Teaching; and in that he is the Sovereign, (which is as much as to ſay, the Church by Repreſentation) the Teachers he elects, are elected by the Church. And when an Aſſembly of Chriſtians chuſe their Paſtor in a Chriſtian Commonwealth, it is the Sovereign that electeth him, becauſe it is done by his Authority; in the ſame manner, as when a Town chuſe their Mayor, it is the Act of him that hath the Sovereign Power: for every Act done, is the Act of him, without whoſe Conſent it is invalid. And therefore whatſoever Examples may be drawn out of Hiſtory, concerning the Election of Paſtors by the People, or by the Clergy, they are no Arguments againſt the Right of any Civil Sovereign, becauſe they that elected them did it by his Authority.

Seeing then in every Chriſtian Commonwealth, the Civil Sovereign is the Supreme Paſtor, to whoſe Charge the whole Flock of his Subjects is committed, and conſequently that it is by his Authority, that all other Paſtors are made, and have Power to teach, and perform all other Paſtoral Offices; it followeth alſo, that it is from the Civil Sovereign, that all other Paſtors derive their Right of Teaching, Preaching, and other Functions pertaining to that Office; and that they are but his Miniſters; in the ſame manner as the Magiſtrates of Towns, Judges in Courts of Juſtice, and Commanders of Armies, are all but Miniſters of him that is the Magiſtrate of the whole Commonwealth, Judge of all Cauſes, and Commander of the whole Militia, which is always the Civil Sovereign. And the Reaſon hereof is, not becauſe they that teach, but becauſe they that are to learn, are his Subjects. For let it be ſuppoſed, that a Chriſtian King commit the Authority of ordaining Paſtors in his Dominions to another King, (as divers Chriſtian Kings allow that Power to the Pope;) he doth not thereby conſtitute a Paſtor over himſelf, nor a Sovereign Paſtor over his People; for that were to deprive himſelf of the Civil Power; which depending on the Opinion Men have of their Duty to him, and the Fear they have of Puniſhment in another World, would depend alſo on the Skill, and Loyalty of Doctors, who are no leſs ſubject, not only to Ambition, but alſo to Ignorance, than any other Sort of Men. So that where a Stranger hath Authority to appoint Teachers, it is given him by the Sovereign in whoſe Dominions he teacheth. Chriſtian Doctors are our Schoolmaſters to Chriſtianity;

but the Kings are Fathers of Families, and may receive Schoolmaſters for their Subjects from the Recommendation of a Stranger, but not from the Command; eſpecially when the ill teaching them ſhall redound to the great and manifeſt Profit of him that recommends them: nor can they be obliged to retain them, longer than it is for the public Good; the Care of which they ſtand ſo long charged withal, as they retain any other eſſential Right of the Sovereignty.

The Paſtoral Authority of Sovereigns only is de Jure Divino, that of other Paſtors, is Jure Civili.

If a Man therefore ſhould aſk a Paſtor, in the Execution of his Office, as the chief Prieſts and Elders of the People, *Matt.* xxi. 23. aſked our Saviour, *By what Authority doſt thou theſe Things, and who gave thee this Authority?* he can make no other juſt Anſwer, but that he doth it by the Authority of the Commonwealth, given him by the King, or Aſſembly that repreſenteth it. All Paſtors, except the Supreme, execute their Charges in the Right, that is, by the Authority of the Civil Sovereign, that is, *Jure Civili*. But the King, and every other Sovereign, executeth his Office of Supreme Paſtor, by immediate Authority from God, that is to ſay, *in God's Right*, or *Jure Divino*. And therefore none but Kings can put into their Titles (a Mark of their Submiſſion to God only) *Dei Gratiâ Rex*, *&c*. Biſhops ought to ſay in the Beginning of their Mandates, *By the Favour of the King's Majeſty, Biſhop of ſuch a Dioceſe*; or as Civil Miniſters, *In his Majeſty's Name*. For in ſaying, *Divinâ Providentiâ*, which is the ſame with *Dei Gratiâ*, though diſguiſed, they deny to have received their Authority from the Civil State; and ſlyly ſlip off the Collar of their Civil Subjection, contrary to the Unity and Defence of the Commonwealth.

Chriſtian Kings have Power to execute all Manner of Paſtoral Function.

But if every Chriſtian Sovereign be the ſupreme Paſtor of his own Subjects, it ſeemeth that he hath alſo the Authority, not only to preach, (which perhaps no Man will deny) but alſo to baptize, and to adminiſter the Sacrament of the Lord's Supper, and to conſecrate both Temples and Paſtors to God's Service; which moſt Men deny; partly becauſe they uſe not to do it, and partly becauſe the Adminiſtration of Sacraments, and Conſecration of Perſons and Places to holy Uſes, requireth the Impoſition of ſuch Men's Hands, as by the like Impoſition ſucceſſively from the Time of the Apoſtles have been ordained to the like Miniſtry. For Proof therefore that Chriſtian Kings have Power to baptize, and to conſecrate, I am to render a Reaſon, both why they uſe not to do it, and how, without the ordinary Ceremony of Impoſition of Hands, they are made capable of doing it when they will.

There is no doubt but any King, in caſe he were ſkilful in the Sciences, might by the ſame Right of his Office, read Lectures of them himſelf, by which he authoriſeth others to read them in the Univerſities. Nevertheleſs, becauſe the Care of the Sum of the Buſineſs of the Commonwealth taketh up his whole Time, it were not convenient for him to apply himſelf in Perſon to that Particular. A King may alſo, if he pleaſe, ſit in Judgment, to hear and determine all Manner of Cauſes, as well as give others Authority to do it in his Name; but that the Charge that lieth upon him of Command and Government, conſtrain him to be continually at the Helm, and to commit the Miniſterial Offices to others under him. In the like Manner our Saviour (who ſurely had Power to baptize) baptized none * himſelf, but ſent his Apoſtles and Diſciples to baptize. So alſo St. *Paul*, by the Neceſſity of Preaching in divers and far diſtant Places, baptized few: Amongſt all the *Corinthians* he baptized only * *Criſpus*, *Gaius*, and *Stephanas*; and the Reaſon was, becauſe his principal * Charge was to preach. Whereby it is manifeſt, that the greater Charge, (ſuch as is the Government of the Church) is a Diſpenſation for the leſs. The Reaſon therefore why Chriſtian Kings uſe not

* John iv. 2.

* 1 Cor. i. 14, 16.

* 1 Cor. i. 17.

to baptize, is evident, and the ſame, for which at this Day there are but few baptized by Biſhops, and by the Pope fewer.

And as concerning Impoſition of Hands, whether it be needful, for the authoriſing of a King to baptize, and conſecrate, we may conſider thus:

Impoſition of Hands, was a moſt ancient public Ceremony amongſt the *Jews*, by which was deſigned, and made certain, the Perſon, or other Thing intended in a Man's Prayer, Bleſſing, Sacrifice, Conſecration, Condemnation, or other Speech. So *Jacob* in bleſſing the Children of *Joſeph*, *Gen.* xlviii. 14. *Laid his right Hand on Ephraim the younger, and his left Hand on Manaſſeh the firſt-born*; and this he did *wittingly* (though they were ſo preſented to him by *Joſeph*, as he was forced in doing it to ſtretch out his Arms acroſs) to deſign to whom he intended the greater Bleſſing. So alſo in the ſacrificing of the Burnt-offering, *Aaron* is commanded, *Exod.* xxix. 10. *to lay his Hands on the Head of the Bullock*; and, verſe 15. *to lay his Hand on the Head of the Ram.* The ſame is alſo ſaid again, *Levit.* i. 4. and viii. 14. Likewiſe *Moſes*, when he ordained *Joſhua* to be Captain of the *Iſraelites*, that is, conſecrated him to God's Service, *Numb.* xxvii. 23. *Laid his Hands upon him, and gave him his Charge*, deſigning, and rendering certain, who it was they were to obey in War. And in the Conſecration of the *Levites*, *Numb.* viii. 10. God commanded that *the Children of Iſrael ſhould put their Hands upon the Levites.* And in the Condemnation of him that had blaſphemed the Lord, *Levit.* xxiv. 14. God commanded that *all that heard him ſhould lay their Hands on his Head, and that all the Congregation ſhould ſtone him.* And why ſhould they only that heard him, lay their Hands upon him, and not rather a Prieſt, *Levite*, or other Miniſter of Juſtice, but that none elſe were able to deſign, and demonſtrate to the Eyes of the Congregation, who it was that had blaſphemed, and ought to die? And to deſign a Man, or any other Thing, by the Hand to the Eye, is leſs ſubject to Miſtake, than when it is done to the Ear by a Name.

And ſo much was this Ceremony obſerved, that in bleſſing the whole Congregation at once, which cannot be done by Laying on of Hands, yet *Aaron*, *Levit.* ix. 22. *did lift up his Hand towards the People when he bleſſed them.* And we read alſo of the like Ceremony of Conſecration of Temples amongſt the Heathen, as that the Prieſt laid his Hands on ſome Poſt of the Temple, all the while he was uttering the Words of Conſecration. So natural it is to deſign any individual Thing, rather by the Hand, to aſſure the Eyes, than by Words to inform the Ear, in Matters of God's public Service.

This Ceremony was not therefore new in our Saviour's Time. For *Jairus*, *Mark* v. 23. whoſe Daughter was ſick, beſought our Saviour (not to heal her, but) *to lay his Hands upon her, that ſhe might be healed.* And, *Matth.* xix. 13. *They brought unto him little Children, that he ſhould put his Hands on them, and pray.*

According to this ancient Rite, the Apoſtles, and Preſbyters, and the Preſbytery itſelf, laid Hands on them whom they ordained Paſtors, and withal prayed for them that they might receive the Holy Ghoſt; and that not only once, but ſometimes oftener, when a new Occaſion was preſented: but the End was ſtill the ſame, namely, a punctual and religious Deſignation of the Perſon, ordained either to the paſtoral Charge in general, or to a particular Miſſion; ſo, *Acts* vi. 6. *The Apoſtles prayed, and laid their Hands* on the ſeven Deacons; which was done, not to give them the Holy Ghoſt (for they were full of the Holy Ghoſt before they were choſen, as appeareth immediately before, verſe 3.) but to deſign them to that Office. And after *Philip* the Deacon had converted certain Perſons in *Samaria*, *Peter* and *John* went down, *Acts* viii. 17. *and laid their Hands on them, and they received the Holy Ghoſt.* And not only an Apoſtle, but a Preſbyter had this Power: For St. *Paul* adviſeth *Timothy*, 1 *Tim.* v. 22. *Lay Hands ſuddenly on no Man*; that is, deſign no Man raſhly to the Office of a Paſtor. The whole Preſbytery laid their Hands on *Timothy*, as we read 1 *Tim.* iv. 14. but this is to be underſtood, as that ſome did it by the Appointment of the Preſbytery, and moſt likely their προεστὼς, or Prolocutor, which it may be was St. *Paul* himſelf. For in his 2d Epiſt. to *Tim.* i. 6. he ſaith to him, *Stir up the Gift of God which is in thee, by the Laying on of my Hands*: where note by the way, that by the Holy Ghoſt, is not meant the third Perſon in the Trinity, but the Gifts neceſſary to the paſtoral Office. We read alſo, that St. *Paul* had Impoſition of Hands twice; once from *Ananias* at *Damaſcus*, *Acts* ix. 17, 18. at the Time of his Baptiſm; and again, *Acts* xiii. 3. at *Antioch*, when he was firſt ſent out to preach. The Uſe then of this Ceremony, conſidered in the Ordination of Paſtors, was to deſign the Perſon to whom they gave ſuch Power. But if there had been then any Chriſtian, that had had the Power of teaching before; the baptizing of him, that is, the making him a Chriſtian, had given him no new Power, but had only cauſed him to preach true Doctrine, that is, to uſe his Power aright; and therefore the Impoſition of Hands had been unneceſſary; Baptiſm itſelf had been ſufficient. But every Sovereign, before Chriſtianity, had the Power of teaching, and ordaining Teachers; and therefore Chriſtianity gave them no new Right, but only directed them in the way of teaching Truth; and conſequently they needed no Impoſition of Hands, beſides that which is done in Baptiſm, to authoriſe them to exerciſe any Part of the paſtoral Function, as namely, to baptize, and conſecrate. And in the Old Teſtament, though the Prieſt only had Right to conſecrate, during the Time that the Sovereignty was in the High Prieſt; yet it was not ſo when the Sovereignty was in the King: For we read, 1 *Kings* viii. That *Solomon* bleſſed the People, conſecrated the Temple, and pronounced that public Prayer, which is the Pattern now for Conſecration of all Chriſtian Churches and Chapels: whereby it appears, he had not only the Right of Eccleſiaſtical Government, but alſo of exerciſing Eccleſiaſtical Functions.

The Civil Sovereign if a Chriſtian, is Head of the Church in his own Dominions.

From this Conſolidation of the Right Politic and Eccleſiaſtic, in Chriſtian Sovereigns, it is evident, they have all manner of Power over their Subjects, that can be given to Man, for the Government of Men's external Actions, both in Policy and Religion; and may make ſuch Laws, as themſelves ſhall judge fitteſt, for the Government of their own Subjects, both as they are the Commonwealth, and as they are the Church: for both State and Church are the ſame Men.

If they pleaſe therefore, they may (as many Chriſtian Kings now do) commit the Government of their Subjects in Matters of Religion to the Pope; but then the Pope is in that Point ſubordinate to them, and exerciſeth that Charge in another's Dominion *Jure Civili*, in the Right of the Civil Sovereign; not *Jure Divino*, in God's Right; and may therefore be diſcharged of that Office, when the Sovereign for the Good of his Subjects ſhall think it neceſſary. They may alſo, if they pleaſe, commit the Care of Religion to one ſupreme Paſtor, or to an Aſſembly of Paſtors; and give them what Power over the Church, or one over another, they think moſt convenient; and what Titles of Honour, as of Biſhops, Archbiſhops, Prieſts, or Preſbyters, they will: and make Laws for their Maintenance, either by Tythes, or otherwiſe, as they pleaſe, ſo they do it out of a ſincere Conſcience, of which God only is the Judge. It is the Civil Sovereign that is to appoint Judges, and Interpreters of the Canonical Scriptures; for it is he that maketh them Laws. It is he alſo that giveth Strength to Excommunications; which but for ſuch Laws and Puniſhments, as may humble obſtinate Libertines, and reduce them to Union with the reſt of the Church, would be contemned. In ſum, he hath the ſupreme Power in all Cauſes, as well Eccleſiaſtical as Civil, as far as concerneth Actions and Words, for thoſe only are known, and may be accuſed; and of that which cannot be accuſed, there is no Judge at all, but God, that knoweth the Heart. And theſe Rights are incident to all Sovereigns, whether Monarchs, or Aſſemblies: for they that are the Repreſentants of a Chriſtian People, are Repreſentants of the Church: for a Church, and a Commonwealth of a Chriſtian People, are the ſame thing.

Cardinal Bellarmine's Books, De Summo Pontifice, conſidered.

Though this that I have here ſaid, and in other Places of this Book, ſeem clear enough for the aſſerting of the ſupreme Eccleſiaſtical Power to Chriſtian Sovereigns; yet becauſe the Pope of *Rome*'s Challenge to that Power univerſally, hath been maintained chiefly, and I think as ſtrongly as is poſſible, by Cardinal *Bellarmine*, in his Controverſy *De Summo Pontifice*; I have thought it neceſſary, as briefly as I can, to examine the Grounds, and Strength of his Diſcourſe.

The firſt Book.

Of five Books he hath written of this Subject, the firſt containeth three Queſtions: One, Which is ſimply the beſt Government, *Monarchy*, *Ariſtocracy*, or *Democracy*; and concludeth for neither, but for a Government mixt of all three: Another, Which of theſe is the beſt Government of the Church; and concludeth for the mixt, but which ſhould moſt participate of Monarchy: The third, Whether in this mixt Monarchy, St. *Peter* had the Place of Monarch. Concerning his firſt Concluſion, I have already ſufficiently proved, Chap. XVIII. that all Governments, which Men are bound to obey, are ſimple and abſolute. In Monarchy there is but one Man ſupreme; and all other Men that have any kind of Power in the State, have it by his Commiſſion, during his Pleaſure; and execute it in his Name: And in Ariſtocracy, and Democracy, but one ſupreme Aſſembly, with the ſame Power that in Monarchy belongeth to the Monarch, which is not a mixt, but an abſolute Sovereignty. And of the three Sorts, which is the beſt, is not to be diſputed, where any one of them is already eſtabliſhed; but the preſent ought always to be preferred, maintained, and accounted beſt; becauſe it is againſt both the Law of Nature, and the divine poſitive Law, to do any thing tending to the Subverſion thereof. Beſides, it maketh nothing to the Power of any Paſtor, (unleſs he have the Civil Sovereignty) what Kind of Government is the beſt; becauſe their Calling is not to govern Men by Commandment, but to teach them, and perſuade them by Arguments, and leave it to them to conſider, whether they ſhall embrace, or reject the Doctrine taught. For Monarchy, Ariſtocracy, and Democracy, do mark out unto us three Sorts of Sovereigns, not of Paſtors; or, as we may ſay, three Sorts of Maſters of Families, not three Sorts of Schoolmaſters for their Children.

And therefore the ſecond Concluſion, concerning the beſt Form of Government of the Church, is nothing to the Queſtion of the Pope's Power without his own Dominions: For in all other Commonwealths, his Power, if he have any at all, is that of the Schoolmaſter only, and not of the the Maſter of the Family.

For the third Concluſion, which is, that St. *Peter* was Monarch of the Church, he bringeth for his chief Argument the Place of St. *Matt.* chap. xvi. 18, 29. *Thou art Peter, and upon this Rock I will build my Church* &c,

&c. *And I will give thee the Keys of Heaven; whatſoever thou ſhalt bind on Earth ſhall be bound in Heaven, and whatſoever thou ſhalt looſe on Earth, ſhall be looſed in Heaven.* Which Place well conſidered, proveth no more, but that the Church of Chriſt hath for Foundation one only Article; namely, that which *Peter* in the Name of all the Apoſtles profeſſing, gave Occaſion to our Saviour to ſpeak the Words here cited; which that we may clearly underſtand, we are to conſider, that our Saviour preached by himſelf, by *John Baptiſt*, and by his Apoſtles, nothing but this Article of Faith, *that he was the Chriſt*; all other Articles requiring Faith no otherwiſe, than as founded on that. *John* began firſt, *Mat.* iii. 2. preaching only this, *The Kingdom of God is at hand.* Then our Saviour himſelf, *Mat.* iv. 17. preached the ſame: And to his twelve Apoſtles, when he gave them their Commiſſion, *Mat.* x. 7. there is no mention of preaching any other Article but that. This was the fundamental Article, that is the Foundation of the Church's Faith. Afterwards the Apoſtles being returned to him, he aſketh them all, *Mat.* xvi. 13. not *Peter* only, *Who Men ſaid he was?* and they anſwered, that *ſome ſaid he was John the Baptiſt, ſome Elias, and others Jeremias, or one of the Prophets:* Then, ver. 15. he aſked them all again, not *Peter* only, *Whom ſay ye that I am?* therefore St. *Peter* anſwered, for them all, *Thou art Chriſt, the Son of the living God*; which I ſaid is the Foundation of the Faith of the whole Church; from which our Saviour takes the Occaſion of ſaying, *Upon this Stone I will build my Church:* By which it is manifeſt, that by the Foundation-ſtone of the Church, was meant the fundamental Article of the Church's Faith. But why then (will ſome object) doth our Saviour interpoſe theſe Words, *Thou art Peter?* If the Original of this Text had been rigidly tranſlated, the Reaſon would eaſily have appeared: We are therefore to conſider, that the Apoſtle *Simon* was ſurnamed *Stone*, which is the Signification of the *Syriac* Word *Cephas*, and of the *Greek* Word *Petrus.* Our Saviour therefore after the Confeſſion of that fundamental Article, alluding to his Name, ſaid (as if it were in *Engliſh*) thus, Thou art *Stone*, and upon this Stone I will build my Church: which is as much as to ſay, this Article, *that I am the Chriſt*, is the Foundation of all the Faith I require in thoſe that are to be Members of my Church: Neither is this Alluſion to a Name, an unuſual thing in common Speech: But it had been a ſtrange, and obſcure Speech, if our Saviour intending to build his Church on the Perſon of St. *Peter*, had ſaid, *Thou art a Stone, and upon this Stone I will build my Church*, when it was ſo obvious without Ambiguity to have ſaid, *I will build my Church on thee*; and yet there had been ſtill the ſame Alluſion to his Name.

And for the following Words, *I will give thee the Keys of Heaven, &c.* it is no more than what our Saviour gave alſo to all the reſt of his Diſciples, *Mat.* xviii. 18. *Whatſoever ye ſhall bind on Earth, ſhall be bound in Heaven; and whatſoever ye ſhall looſe on Earth, ſhall be looſed in Heaven.* But howſoever this be interpreted, there is no doubt but the Power here granted belongs to all ſupreme Paſtors; ſuch as are all Chriſtian Civil Sovereigns in their own Dominions. Inſomuch, as if St. *Peter*, or our Saviour himſelf had converted any of them to believe him, and to acknowledge his Kingdom; yet becauſe his Kingdom is not of this World, he had left the ſupreme Care of converting his Subjects to none but him; or elſe he muſt have deprived him of the Sovereignty, to which the Right of Teaching is inſeparably annexed. And thus much in Refutation of his firſt Book, wherein he would prove St. *Peter* to have been the Monarch Univerſal of the Church, that is to ſay, of all Chriſtians in the World.

The ſecond Book.

The ſecond Book hath two Concluſions: One, that St. *Peter* was Biſhop of *Rome*, and there died: The other, that the Popes of *Rome* are his Succeſſors. Both which have been diſputed by others. But ſuppoſing them true; yet if by Biſhop of *Rome*, be underſtood either the Monarch of the Church, or the ſupreme Paſtor of it; not *Silveſter*, but *Conſtantine* (who was the firſt Chriſtian Emperor) was that Biſhop; and as *Conſtantine*, ſo all other Chriſtian Emperors were of Right ſupreme Biſhops of the *Roman* Empire; I ſay of the *Roman* Empire, not of all *Chriſtendom*: For other Chriſtian Sovereigns had the ſame Right in their ſeveral Territories, as to an Office eſſentially adherent to their Sovereignty. Which ſhall ſerve for Anſwer to his ſecond Book.

The third Book.

In the third Book, he handleth the Queſtion, whether the Pope be Antichriſt. For my Part, I ſee no Argument that proves he is ſo, in that Senſe the Scripture uſeth the Name: nor will I take any Argument from the Quality of Antichriſt, to contradict the Authority he exerciſeth, or hath herefore exerciſed in the Dominions of any other Prince or State.

It is evident that the Prophets of the Old Teſtament foretold, and the *Jews* expected a Meſſiah, that is, a Chriſt, that ſhould re-eſtabliſh amongſt them the Kingdom of God, which had been rejected by them in the Time of *Samuel*, when they required a King after the Manner of other Nations. This Expectation of theirs, made them obnoxious to the Impoſture of all ſuch, as had both the Ambition to attempt the attaining of the Kingdom, and the Art to deceive the People by counterfeit Miracles, by hypocritical Life, or by Orations and Doctrine plauſible. Our Saviour therefore, and his Apoſtles, forewarned Men of falſe Prophets, and of falſe Chriſts. Falſe Chriſts are ſuch as pretend to be the *Chriſt*, but are not, and are called properly *Antichriſts*, in ſuch Senſe, as when there happeneth a Schiſm in the Church by the Election of two Popes, the one calleth the other *Antipapa*, or the falſe Pope. And therefore Antichriſt in the proper Signification hath two eſſential Marks; one, that he denieth *Jeſus* to be Chriſt; and another, that he profeſſeth himſelf to be Chriſt. The firſt Mark is ſet down by St. *John* in his 1 Epiſtle iv. 3. *Every Spirit that confeſſeth not that Jeſus Chriſt is come in the Fleſh, is not of God; and this is the Spirit of Antichriſt.* The other Mark is expreſſed in the Words of our Saviour, *Mat.* xxiv. 5. *Many ſhall come in my Name, ſaying, I am Chriſt*; and again, *If any Man ſhall ſay unto you, Lo, here is Chriſt, there is Chriſt, believe it not.* And therefore Antichriſt muſt be a falſe Chriſt, that is, ſome one of them that ſhall pretend themſelves to be Chriſt. And out of theſe two Marks, *to deny Jeſus to be the Chriſt*, and to *affirm himſelf to be the Chriſt*, it followeth, that he muſt alſo be an *Adverſary of Jeſus the true Chriſt*, which is another uſual Signification of the Word Antichriſt. But of theſe many Antichriſts, there is one ſpecial one, ὁ Αντίχριςος, *The Antichriſt*, or *Antichriſt* definitely, as one certain Perſon; not indefinitely *an Antichriſt*. Now ſeeing the Pope of *Rome* neither pretendeth himſelf, nor denieth *Jeſus* to be the Chriſt, I perceive not how he can be called Antichriſt; by which Word is not meant, one that falſely pretendeth to be *His* Lieutenant, or Vicar General, but to be *He*. There is alſo ſome Mark of the Time of this ſpecial Antichriſt, as *Matt.* xxiv. 15. when that abominable Deſtroyer, ſpoken of by * *Daniel*, ſhall ſtand in the holy Place, and ſuch Tribulation as was not ſince the Beginning of the World, nor ever ſhall be again, inſomuch as if it were to laſt long, ver. 22. *no Fleſh could be ſaved*; *but for the Elect's Sake thoſe Days ſhall be ſhortened* (made fewer.) But that Tribulation is not yet come; for it is to be followed immediately, ver. 29. by a Darkening of the Sun and Moon, a Falling of the Stars, a Concuſſion

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* Dan. ix. 27.

of the Heavens, and the glorious Coming again of our Saviour in the Clouds. And therefore *the Antichriſt* is not yet come; whereas, many Popes are both come and gone. It is true, the Pope, in taking upon him to give Laws to all Chriſtian Kings and Nations, uſurpeth a Kingdom in this World, which Chriſt took not on him: but he doth it not *as Chriſt*, but as *for Chriſt*, wherein there is nothing of *the Antichriſt*.

The fourth Book.

In the fourth Book, to prove the Pope to be the ſupreme Judge in all Queſtions of Faith and Manners, *(which is as much as to be the abſolute Monarch of all Chriſtians in the World)* he bringeth three Propoſitions: The firſt, that his Judgments are infallible: The ſecond, that he can make very Laws, and puniſh thoſe that obſerve them not: The third, that our Saviour conferred all Juriſdiction Eccleſiaſtical on the Pope of *Rome*.

Texts for the Infallibility of the Pope's Judgment in Points of Faith.

For the Infallibility of his Judgments, he alledgeth the Scriptures: and firſt, that of *Luke* xxii. 31. *Simon, Simon, Satan hath deſired you, that he may ſift you as Wheat; but I have prayed for thee, that thy Faith fail not; and when thou art converted, ſtrengthen thy Brethren.* This, according to *Bellarmine*'s Expoſition, is, that Chriſt gave here to *Simon Peter* two Privileges: one, that neither his Faith ſhould fail, nor the Faith of any of his Succeſſors: the other, that neither he, nor any of his Succeſſors, ſhould define any Point concerning Faith, or Manners, erroneouſly, or contrary to the Definition of a former Pope: Which is a ſtrange, and very much ſtrained Interpretation. But he that with Attention readeth that Chapter, ſhall find there is no Place in the whole Scripture, that maketh more againſt the Pope's Authority, than this very Place. The Prieſts and Scribes ſeeking to kill our Saviour at the Paſſover, and *Judas* poſſeſſed with a Reſolution to betray him, and the Day of killing the Paſſover being come, our Saviour celebrated the ſame with his Apoſtles, which he ſaid, till the Kingdom of God was come he would do no more; and withal told them, that one of them was to betray him: Hereupon they queſtioned, which of them it ſhould be; and withal, (ſeeing the next Paſſover their Maſter would celebrate ſhould be when he was King) entered into a Contention, who ſhould then be the greateſt Man. Our Saviour therefore told them, that the Kings of the Nations had Dominion over their Subjects, and are called by a Name (in *Hebrew)* that ſignifies Bountiful; but I cannot be ſo to you, you muſt endeavour to ſerve one another; I ordain you a Kingdom, but it is ſuch as my Father hath ordained me; a Kingdom that I am now to purchaſe with my Blood, and not to poſſeſs till my ſecond Coming; then ye ſhall eat and drink at my Table, and ſit on Thrones, judging the twelve Tribes of *Iſrael:* And then addreſſing himſelf to St. *Peter*, he ſaith, *Simon, Simon*, Satan ſeeks, by ſuggeſting a preſent Domination, to weaken your Faith of the future; but I have prayed for thee, that thy Faith ſhall not fail; Thou therefore (note this) being converted, and underſtanding my Kingdom as of another World, confirm the ſame Faith in thy Brethren: To which St. *Peter* anſwered (as one that no more expected any Authority in this World) *Lord, I am ready to go with thee, not only to Priſon, but to Death.* Whereby it is manifeſt, St. *Peter* had not only no Juriſdiction given him in this World, but a Charge to teach all the other Apoſtles, that they alſo ſhould have none. And for the Infallibility of St. *Peter*'s Sentence definitive in Matter of Faith, there is no more to be attributed to it out of this Text, than that *Peter* ſhould continue in the Belief of this Point, namely, that *Chriſt* ſhould come again, and poſſeſs the Kingdom at the Day of Judgment; which was not given by this Text to all his Succeſſors; for we ſee they claim it in the World that now is.

The ſecond Place is that of *Matth.* xvi. *Thou art Peter, and upon this Rock I will build my Church, and the Gates of Hell ſhall not prevail againſt it.* By which (as I have already ſhewn in this Chapter) is proved no more, than that the Gates of Hell ſhall not prevail againſt the Confeſſion of *Peter*, which gave Occaſion to that Speech; namely this, that *Jeſus is Chriſt, the Son of God.*

The third Text is *John* xxi. 16, 17. *Feed my Sheep*; which contains no more but a Commiſſion of Teaching: And if we grant the reſt of the Apoſtles to be contained in that Name of *Sheep*, then it is the ſupreme Power of Teaching: but it was only for the Time that there were no Chriſtian Sovereigns already poſſeſſed of that Supremacy. But I have already proved, that Chriſtian Sovereigns are in their own Dominions the ſupreme Paſtors, and inſtituted thereto, by Virtue of their being baptized, though without other Impoſition of Hands. For ſuch Impoſition being a Ceremony of deſigning the Perſon, is needleſs, when he is already deſigned to the Power of Teaching what Doctrine he will, by his Inſtitution to an abſolute Power over his Subjects. For as I have proved before, Sovereigns are ſupreme Teachers (in general) by their Office; and therefore oblige themſelves, by their Baptiſm, to teach the Doctrine of *Chriſt:* And when they ſuffer others to teach their People, they do it at the Peril of their own Souls; for it is at the Hands of the Heads of Families that God will require the Account of the Inſtruction of his Children and Servants. It is of *Abraham* himſelf, not of a Hireling, that God ſaith, *Gen.* xviii. 19. *I know him that he will command his Children, and his Houſhold after him, that they keep the Way of the Lord, and do Juſtice and Judgment.*

The fourth Place is that of *Exod.* xxviii. 30. *Thou ſhalt put in the Breaſtplate of Judgment, the Urim and the Thummin:* which he ſaith is interpreted by the Septuagint δήλωσιν καὶ ἀλήθειαν, that is, *Evidence* and *Truth:* And thence concludeth, God had given Evidence and Truth (which is almoſt Infallibility) to the High Prieſt. But be it Evidence and Truth itſelf that was given, or be it but Admonition to the Prieſt to endeavour to inform himſelf clearly, and give Judgment uprightly; yet in that it was given to the High Prieſt, it was given to the Civil Sovereign: For ſuch, next under God, was the High Prieſt in the Commonwealth of *Iſrael*; and is an Argument for Evidence and Truth, that is, for the Eccleſiaſtical Supremacy of Civil Sovereigns over their own Subjects, againſt the pretended Power of the Pope. Theſe are all the Texts he bringeth for the Infallibility of the Judgment of the Pope, in Point of Faith.

Texts for the ſame in point of Manners.

For the Infallibility of his Judgment concerning Manners, he bringeth one Text, which is that of *John* xvi. 13. *When the Spirit of Truth is come, he will lead you into all Truth:* where, ſaith he, by *all Truth*, is meant, at leaſt, *all Truth neceſſary to Salvation.* But with this Mitigation, he attributeth no more Infallibility to the Pope, than to any Man that profeſſeth Chriſtianity, and is not to be damned: For if any Man err in any Point, wherein not to err is neceſſary to Salvation, it is impoſſible he ſhould be ſaved; for that only is neceſſary to Salvation, without which to be ſaved is impoſſible. What Points theſe are, I ſhall declare out of the Scripture in the Chapter following. In this place I ſay no more, but that though it were granted, the Pope could not poſſibly teach any Error at all, yet doth not this entitle him to any Juriſdiction in the Dominions of another Prince, unleſs we ſhall alſo ſay, a

Man is obliged in Conſcience to ſet on work upon all Occaſions the beſt Workman, even then alſo when he hath formerly promiſed his Work to another.

Beſides the Text, he argueth from Reaſon, thus: If the Pope could err in Neceſſaries, then *Chriſt* hath not ſufficiently provided for the Church's Salvation; becauſe he hath commanded her to follow the Pope's Directions. But this Reaſon is invalid, unleſs he ſhew when, and where, *Chriſt* commanded that, or took at all any Notice of a Pope: Nay granting whatſoever was given to St. *Peter*, was given to the Pope; yet ſeeing there is in the Scripture no Command to any Man to obey St. *Peter*, no Man can be juſt that obeyeth him, when his Commands are contrary to thoſe of his lawful Sovereign.

Laſtly, it hath not been declared by the Church, nor by the Pope himſelf, that he is the Civil Sovereign of all the Chriſtians in the World; and therefore all Chriſtians are not bound to acknowledge his Juriſdiction in point of Manners. For the Civil Sovereignty, and ſupreme Judicature in Controverſies of Manners, are the ſame Thing: And the Makers of Civil Laws, are not only Declarers, but alſo Makers of the Juſtice, and Injuſtice of Actions; there being nothing in Men's Manners that makes them righteous, or unrighteous, but their Conformity with the Law of the Sovereign. And therefore when the Pope challengeth Supremacy in Controverſies of Manners, he teacheth Men to diſobey the Civil Sovereign; which is an erroneous Doctrine, contrary to the many Precepts of our Saviour and his Apoſtles, delivered to us in the Scripture.

To prove the Pope has Power to make Laws, he alledgeth many Places; as firſt, *Deut*. xvii. 12. *The Man that will do preſumptuouſly, and will not hearken unto the Prieſt, (that ſtandeth to miniſter there before the Lord thy God) or unto the Judge, even that Man ſhall die, and thou ſhalt put away the Evil from Iſrael.* For Anſwer whereunto, we are to remember that the High Prieſt (next and immediately under God) was the Civil Sovereign; and all Judges were to be conſtituted by him. The Words alledged ſound therefore thus: *The Man that will preſume to diſobey the Civil Sovereign for the Time being, or any of his Officers in the Execution of their Places, that Man ſhall die*, &c. which is clearly for the Civil Sovereignty, againſt the univerſal Power of the Pope.

Secondly, he alledgeth that of *Matth*. xvi. *Whatſoever ye ſhall bind*, &c. and interpreteth it for ſuch *binding* as is attributed, *Matth*. xxiii. 4. to the Scribes and Phariſees, *They bind heavy Burthens, and grievous to be born, and lay them on Men's Shoulders*; by which is meant (he ſays) making of Laws; and concludes thence, that the Pope can make Laws. But this alſo maketh only for the Legiſlative Power of Civil Sovereigns: For the Scribes and Phariſees ſat in *Moſes*' Chair; but *Moſes*, next under God, was Sovereign of the People of *Iſrael*: and therefore our Saviour commanded them to do all that they ſhould ſay, but not all that they ſhould do. That is, to obey their Laws, but not follow their Example.

The third Place, is *John* xxi. 16. *Feed my Sheep*; which is not a Power to make Laws, but a Command to teach. Making Laws belongs to the Lord of the Family; who by his own Diſcretion chuſeth his Chaplain, as alſo a Schoolmaſter to teach his Children.

The fourth Place, *John* xx. 21. is againſt him. The Words are, *As my Father ſent me, ſo ſend I you.* But our Saviour was ſent to redeem, by his Death, ſuch as ſhould believe; and by his own, and his Apoſtles preaching, to prepare them for their Entrance into his Kingdom; which he himſelf ſaith, is not of this World, and hath taught us to pray for the coming of it hereafter, though he refuſed, *Acts* i. 6, 7. to tell his Apoſtles when it ſhould come; and in which, when it comes, the twelve Apoſtles ſhall ſit on twelve Thrones (every one perhaps as high as that of St. *Peter)* to judge the twelve Tribes of *Iſrael.* Seeing then God the Father ſent not our Saviour to make Laws in this preſent World, we may conclude from the Text, that neither did our Saviour ſend St. *Peter* to make Laws here, but to perſuade Men to expect his ſecond Coming with a ſtedfaſt Faith; and in the mean Time, if Subjects, to obey their Princes; and if Princes, both to believe it themſelves, and to do their beſt to make their Subjects do the ſame; which is the Office of a Biſhop. Therefore this Place maketh moſt ſtrongly for joining the Eccleſiaſtical Supremacy to the Civil Sovereignty, contrary to that which Cardinal *Bellarmine* alledgeth it for.

The fifth Place is *Acts* xv. 28. *It hath ſeemed good to the Holy Spirit, and to us, to lay upon you no greater Burthen, than theſe neceſſary Things, that ye abſtain from Meats offered to Idols, and from Blood, and from Things ſtrangled, and from Fornication.* Here he notes the Word *Laying of Burthens* for the Legiſlative Power. But who is there, that reading this Text, can ſay, this Stile of the Apoſtles may not as properly be uſed in giving Counſel, as in making Laws? The Stile of a Law is, *We command:* But, *We think good*, is the ordinary Stile of them, that but give Advice; and they lay a Burthen that give Advice, though it be conditional, that is, if they to whom they give it, will attain their Ends: And ſuch is the Burthen, of abſtaining from Things ſtrangled, and from Blood; not abſolute, but in caſe they will not err. I have ſhewn before, Chap. XXV, that Law is diſtinguiſhed from Counſel, in this, that the Reaſon of a Law, is taken from the Deſign and Benefit of him that preſcribeth it; but the Reaſon of a Counſel, from the Deſign and Benefit of him, to whom the Counſel is given. But here, the Apoſtles aim only at the Benefit of the converted Gentiles, namely their Salvation; not at their own Benefit; for having done their Endeavour, they ſhall have their Reward, whether they be obeyed, or not. And therefore the Acts of this Council, were not Laws, but Counſels.

The ſixth Place is that of *Rom.* xiii. 1. *Let every Soul be ſubject to the higher Powers, for there is no Power but of God*; which is meant, he ſaith, not only of Secular, but alſo of Eccleſiaſtical Princes. To which I anſwer, firſt, that there are no Eccleſiaſtical Princes but thoſe that are alſo Civil Sovereigns; and their Principalities exceed not the Compaſs of their Civil Sovereignty; without thoſe Bounds, though they may be received for Doctors, they cannot be acknowledged for Princes. For if the Apoſtle had meant, we ſhould be ſubject both to our own Princes, and alſo to the Pope, he had taught us a Doctrine, which Chriſt himſelf hath told us is impoſſible, namely, *to ſerve two Maſters.* And though the Apoſtle ſaith in another Place, *I write theſe things being abſent, leſt being preſent I ſhould uſe Sharpneſs, according to the Power which the Lord hath given me*; it is not, that he challenged a Power either to put to Death, impriſon, baniſh, whip, or fine any of them, which are Puniſhments; but only to excommunicate, which, without the Civil Power, is no more, but a leaving of their Company, and having no more to do with them, than with a heathen Man, or a Publican; which in many Occaſions might be a greater Pain to the Excommunicant, than to the Excommunicate.

The ſeventh Place is 1 *Cor.* iv. 21. *Shall I come unto you with a Rod, or in Love, and the Spirit of Lenity?* But here again, it is not the Power of a Magiſtrate to puniſh Offenders, that is meant by a Rod; but only the Power of Excommunication, which is not in its own Nature a Puniſhment, but only a denouncing of Puniſhment, that Chriſt ſhall inflict, when he ſhall be in Poſſeſſion of his Kingdom, at the Day of Judgment. Nor then alſo ſhall it be properly a Puniſhment, as upon a Subject that hath broken the Law; but a Revenge, as upon an Enemy, or

Revolter, that denieth the Right of our Saviour to the Kingdom: And therefore this proveth not the Legiſlative Power of any Biſhop, that has not alſo the Civil Power.

The eighth Place is 1 *Tim.* iii. 2. *A Biſhop muſt be the Huſband but of one Wife, vigilant, ſober, &c.* which he ſaith was a Law. I thought that none could make a Law in the Church, but the Monarch of the Church, St. *Peter.* But ſuppoſe this Precept made by the Authority of St. *Peter*; yet I ſee no Reaſon why to call it a Law, rather than an Advice, ſeeing *Timothy* was not a Subject, but a Diſciple of St. *Paul*; nor the Flock under the Charge of *Timothy*, his Subjects in the Kingdom, but his Scholars in the School of Chriſt: If all the Precepts he giveth *Timothy*, be Laws, why is not this alſo a Law, *Drink no longer Water, but uſe a little Wine for thy Health's Sake?* And why are not alſo the Precepts of good Phyſicians, ſo many Laws? but that it is not the imperative manner of Speaking, but an abſolute Subjection to a Perſon, that maketh his Precepts Laws.

In like manner, the ninth Place, 1 *Tim.* v. 19. *Againſt an Elder receive not an Accuſation, but before two or three Witneſſes*, is a wiſe Precept, but not a Law.

The tenth Place is *Luke* x. 16. *He that heareth you, heareth me; and he that deſpiſeth you, deſpiſeth me.* And there is no Douht, but he that deſpiſeth the Counſel of thoſe that are ſent by Chriſt, deſpiſeth the Counſel of Chriſt himſelf. But who are thoſe now that are ſent by Chriſt, but ſuch as are ordained Paſtors by lawful Authority? and who are lawfully ordained, that are not ordained by the Sovereign Paſtor? and who is ordained by the Sovereign Paſtor in a Chriſtian Commonwealth, that is not ordained by the Authority of the Sovereign thereof? Out of this Place therefore it followeth, that he which heareth his Sovereign being a Chriſtian, heareth Chriſt; and he that deſpiſeth the Doctrine which his King, being a Chriſtian, authoriſeth, deſpiſeth the Doctrine of Chriſt, (which is not that which *Bellarmine* intendeth here to prove, but the contrary.) But all this is nothing to a Law. Nay more, a Chriſtian King, as a Paſtor, and Teacher of his Subjects, makes not thereby his Doctrines Laws. He cannot oblige Men to believe; though as a Civil Sovereign he may make Laws ſuitable to his Doctrine, which may oblige Men to certain Actions, and ſometimes to ſuch as they would not otherwiſe do, and which he ought not to command; and yet when they are commanded, they are Laws; and the external Actions done in Obedience to them, without the inward Approbation, are the Actions of the Sovereign, and not of the Subject, which is in that Caſe but as an Inſtrument, without any Motion of his own at all; becauſe God hath commanded to obey them.

The eleventh, is every Place, where the Apoſtle for Counſel putteth ſome Word, by which Men uſe to ſignify Command; or calleth the following of his Counſel, by the Name of Obedience. And therefore they are alledged out of 1 *Cor.* xi. 2. *I commend you for keeping my Precepts as I delivered them to you.* The *Greek* is, *I commend you for keeping thoſe Things I delivered to you, as I delivered them.* Which is far from ſignifying that they were Laws, or any Thing elſe, but good Counſel. And that of 1 *Theſſ.* iv. 2. *You know what Commandments we gave you:* where the *Greek* Word is παραγγελίας ἐδώκαμεν, equivalent to παρεδώκαμεν, *what we delivered to you*, as in the Place next before alledged, which does not prove the Traditions of the Apoſtles, to be any more than Counſels; though as is ſaid in ver 8. *he that deſpiſeth them, deſpiſeth not Man, but God:* For our Saviour himſelf came not to judge, that is, to be King in this World; but to ſacrifice himſelf for Sinners, and leave Doctors in his Church, to lead, not to drive Men to Chriſt, who never accepteth forced Actions, (which is all the Law produceth) but the inward Converſion of the Heart; which is not the Work of Laws, but of Counſel and Doctrine.

Aud that of 2 *Theſſ.* iii. 14. *If any Man obey not our Word by this Epiſtle, note that Man, and have no Company with him, that he may be aſhamed:* where from the Word *Obey*, he would infer, that this Epiſtle was a Law to the *Theſſalonians*. The Epiſtles of the Emperors were indeed Laws. If therefore the Epiſtle of St. *Paul* were alſo a Law, they were to obey two Maſters. But the Word *Obey*, as it is in the *Greek* ὑπακούει, ſignifieth *hearkening to*, or *putting in Practice*, not only that which is commanded by him that has Right to puniſh, but alſo that which is delivered in a Way of Counſel for our Good; and therefore St. *Paul* does not bid kill him that diſobeys, not beat, nor impriſon, nor amerce him, which Legiſlators may all do; but avoid his Company, that he may be aſhamed: whereby it is evident, it was not the Empire of an Apoſtle, but his Reputation amongſt the Faithful, which the Chriſtians ſtood in awe of.

The laſt Place is that of *Heb.* xiii. 17. *Obey your Leaders, and ſubmit yourſelves to them, for they watch for your Souls, as they that muſt give Account:* And here alſo is intended by Obedience, a following of their Counſel: For the Reaſon of our Obedience, is not drawn from the Will and Command of our Paſtors, but from our own Benefit, as being the Salvation of our Souls they watch for, and not for the Exaltation of their own Power, and Authority. If it were meant here, that all they teach were Laws, then not only the Pope, but every Paſtor in his Pariſh ſhould have Legiſlative Power. Again, they that are bound to obey their Paſtors, have no Power to examine their Commands. What then ſhall we ſay to St. *John*, who bids us, 1 Epiſt. iv. 1. *Not to believe every Spirit, but to try the Spirits whether they are of God, becauſe many falſe Prophets are gone out into the World?* It is therefore manifeſt, that we may diſpute the Doctrine of our Paſtors; but no Man can diſpute a Law. The Commands of Civil Sovereigns are on all Sides granted to be Laws: if any elſe can make a Law beſides himſelf, all Commonwealth, and conſequently all Peace and Juſtice, muſt ceaſe; which is contrary to all Laws both divine and human. Nothing therefore can be drawn from theſe, or any other Places of Scripture, to prove the Decrees of the Pope, where he has not alſo the Civil Sovereignty, to be Laws.

The Queſtion of Superiority between the Pope and other Biſhops.

The laſt Point he would prove, is this, *That our Saviour Chriſt has committed Eccleſiaſtical Juriſdiction immediately to none but the Pope.* Wherein he handleth not the Queſtion of Supremacy between the Pope and Chriſtian Kings, but between the Pope and other Biſhops. And firſt, he ſays it is agreed, that the Juriſdiction of Biſhops, is at leaſt in the general *de Jure Divino*, that is, in the Right of God; for which he alledges St. *Paul*, *Epheſ.* iv. 11. where he ſays, that Chriſt after his Aſcenſion into Heaven, *gave Gifts to Men, ſome Apoſtles, ſome Prophets, and ſome Evangeliſts, and ſome Paſtors, and ſome Teachers:* And thence infers, they have indeed their Juriſdiction in God's Right; but will not grant they have it immediately from God, but derived through the Pope. But if a Man may be ſaid to have his Juriſdiction *de Jure Divino*, and yet not immediately; what lawful Juriſdiction, though but Civil, is there in a Chriſtian Commonwealth, that is not alſo *de Jure Divino?* For Chriſtian Kings have their Civil Power from God immediately; and the Magiſtrates under him exerciſe their ſeveral Charges in virtue of his Commiſſion; wherein that which they do, is no leſs *de Jure Divino mediato*, than that which the Biſhops do, in

Virtue of the Pope's Ordination. All lawful Power is of God, immediately in the ſupreme Governor, and mediately in thoſe that have Authority under him: So that either he muſt grant every Conſtable in the State, to hold his Office in the Right of God; or he muſt not hold that any Biſhop holds his ſo, beſides the Pope himſelf.

But this whole Diſpute, whether Chriſt left the Juriſdiction to the Pope only, or to other Biſhops alſo, if conſidered out of thoſe Places where the Pope has the Civil Sovereignty, is a Contention *de Lana Caprina*: For none of them (where they are not Sovereigns) has any Juriſdiction at all. For Juriſdiction is the Power of hearing and determining Cauſes between Man and Man; and can belong to none but him that hath the Power to preſcribe the Rules of Right and Wrong; that is, to make Laws; and with the Sword of Juſtice to compel Men to obey his Deciſions, pronounced either by himſelf, or by the Judges he ordaineth thereunto; which none can lawfully do, but the Civil Sovereign.

Therefore when he alledgeth out of *Luke* vi. that our Saviour called his Diſciples together, and choſe twelve of them which he named Apoſtles, he proveth that he elected them (all, except *Matthias*, *Paul* and *Barnabas)* and gave them Power and Command to preach, but not to judge of Cauſes between Man and Man; for that is a Power which he refuſed to take upon himſelf, ſaying, *Who made me a Judge, or a Divider amongſt you?* And in another Place, *My Kingdom is not of this World.* But he that hath not the Power to hear and determine Cauſes between Man and Man; cannot be ſaid to have any Juriſdiction at all. And yet this hinders not, but that our Saviour gave them the Power to preach and baptize in all Parts of the World, ſuppoſing they were not by their own lawful Sovereign forbidden: For to our own Sovereigns Chriſt himſelf, and his Apoſtles, have in ſundry Places expreſly commanded us in all Things to be obedient.

The Arguments by which he would prove, that Biſhops receive their Juriſdiction from the Pope, (ſeeing the Pope in the Dominions of other Princes hath no Juriſdiction himſelf) are all in vain. Yet becauſe they prove, on the contrary, that all Biſhops receive Juriſdiction when they have it from their Civil Sovereigns, I will not omit the Recital of them.

The firſt, is from *Numbers* xi. where *Moſes* not being able alone to undergo the whole Burthen of adminiſtring the Affairs of the People of *Iſrael*, God commanded him to chuſe Seventy Elders, and took Part of the Spirit of *Moſes*, to put it upon thoſe Seventy Elders: by which is underſtood, not that God weakened the Spirit of *Moſes*, for that had not eaſed him at all; but that they had all of them their Authority from him; wherein he doth truly and ingenuouſly interpret that Place. But ſeeing *Moſes* had the entire Sovereignty in the Commonwealth of the *Jews*, it is manifeſt, that it is thereby ſignified, that they had their Authority from the Civil Sovereign: and therefore that Place proveth, that Biſhops in every Chriſtian Commonwealth have their Authority from the Civil Sovereign; and from the Pope in his own Territories only, and not in the Territories of any other State.

The ſecond Argument, is from the Nature of Monarchy; wherein all Authority is in one Man, and in others by Derivation from him: But the Government of the Church, he ſays, is Monarchical. This alſo makes for Chriſtian Monarchs. For they are really Monarchs of their own People; that is, of their own Church (for the Church is the ſame Thing with a Chriſtian People;) whereas the Power of the Pope, though he were St. *Peter*, is neither Monarchy, nor hath any Thing of *Archical*, nor *Cratical*, but only of *Didactical*; for God accepteth not a forced, but a willing Obedience.

The third is, from that the *See* of St. *Peter* is called by St. *Cyprian*, the *Head*, the *Source*, the *Root*, the *Sun*, from whence the Authority of Biſhops is derived. But by the Law of Nature (which is a better Principle of Right and Wrong, than the Word of any Doctor that is but a Man) the Civil Sovereign in every Commonwealth, is the *Head*, the *Source*, the *Root*, and the *Sun*, from which all Juriſdiction is derived. And therefore the Juriſdiction of Biſhops, is derived from the Civil Sovereign.

The fourth, is taken from the Inequality of their Juriſdictions: For if God, ſaith he, had given it them immediately, he had given as well Equality of Juriſdiction as of Order: But we ſee, ſome are Biſhops but of one Town, ſome of a hundred Towns, and ſome of many whole Provinces; which Differences were not determined by the Command of God; their Juriſdiction therefore is not of God, but of Man; and one has a greater, another a leſs, as it pleaſeth the Prince of the Church. Which Argument, if he had proved before, that the Pope had had an univerſal Juriſdiction over all Chriſtians, had been for his Purpoſe. But ſeeing that hath not been proved, and that it is notoriouſly known, the large Juriſdiction of the Pope was given him by thoſe that had it, that is, by the Emperors of *Rome*, (for the Patriarch of *Conſtantinople*, upon the ſame Title, namely, of being Biſhop of the capital City of the Empire, and Seat of the Emperor, claimed to be equal to him) it followeth, that all other Biſhops have their Juriſdiction from the Sovereigns of the Place wherein they exerciſe the ſame: And as for that Cauſe they have not their Authority *de Jure Divino*; ſo neither hath the Pope his *de Jure Divino*, except only where he is alſo the Civil Sovereign.

His fifth Argument is this, *If Biſhops have their Juriſdiction immediately from God, the Pope could not take it from them, for he can do nothing contrary to God's Ordination*; and this Conſequence is good, and well proved. *But*, ſaith he, *the Pope can do this, and has done it*. This alſo is granted, ſo he do it in his own Dominions, or in the Dominions of any other Prince that hath given him that Power; but not univerſally, in Right of the Popedom: For that Power belongeth to every Chriſtian Sovereign, within the Bounds of his own Empire, and is inſeparable from the Sovereignty. Before the People of *Iſrael* had (by the Commandment of God to *Samuel)* ſet over themſelves a King, after the manner of other Nations, the High Prieſt had the Civil Government; and none but he could make, nor depoſe, an inferior Prieſt: But that Power was afterwards in the King, as may be proved by this ſame Argument of *Bellarmine*; for if the Prieſt, be he the High Prieſt or any other, had his Juriſdiction immediately from God, then the King could not take it from him; *for he could do nothing contrary to God's Ordinance:* But it is certain, that King *Solomon*, 1 *Kings* ii. 26. deprived *Abiathar* the High Prieſt of his Office, and placed *Zadok*, verſe 35. in his room. Kings therefore may in the like manner ordain, and deprive Biſhops, as they ſhall think fit, for the well-governing of their Subjects.

His ſixth Argument is this, If Biſhops have their Juriſdiction *de Jure Divino*, that is, *immediately from God*, they that maintain it, ſhould bring ſome Word of God to prove it: But they can bring none. The Argument is good; I have therefore nothing to ſay againſt it. But it is an Argument no leſs good, to prove the Pope himſelf to have no Juriſdiction in the Dominion of any other Prince.

Laſtly, he bringeth for Argument, the Teſtimony of two Popes, *Innocent* and *Leo*; and I doubt not but he might have alledged, with as good Reaſon, the Teſtimony of all the Popes almoſt ſince St. *Peter:*

For conſidering the Love of Power naturally implanted in Mankind, whoſoever were made Pope, he would be tempted to uphold the ſame Opinion. Nevertheleſs, they ſhould therein but do, as *Innocent* and *Leo* did, bear Witneſs of themſelves, and therefore their Witneſs ſhould not be good.

Of the Pope's temporal Power.

In the fifth Book he hath four Concluſions. The firſt is, *That the Pope is not Lord of all the World:* The ſecond, *That the Pope is not Lord of all the Chriſtian World:* The third, *That the Pope* (without his own Territory) *has not any temporal Juriſdiction* DIRECTLY: Theſe three Concluſions are eaſily granted. The fourth is, *That the Pope has* (in the Dominions of other Princes) the ſupreme *temporal Power* INDIRECTLY: which is denied; unleſs he mean by *indirectly*, that he has gotten it by indirect Means; then is that alſo granted. But I underſtand, that when he ſaith he hath it indirectly, he means, that ſuch temporal Jurdiſdiction belongeth to him of Right, but that this Right is but a Conſequence of his paſtoral Authority, the which he could not exerciſe, unleſs he have the other with it: And therefore to the Paſtoral Power (which he calls ſpiritual) the ſupreme Power Civil is neceſſarily annexed; and that thereby he hath a Right to change Kingdoms, giving them to one, and taking them from another, when he ſhall think it conduces to the Salvation of Souls.

Before I come to conſider the Arguments by which he would prove this Doctrine, it will not be amiſs to lay open the Conſequences of it; that Princes, and States, that have the Civil Sovereignty in their ſeveral Commonwealths, may bethink themſelves, whether it be convenient for them, and conducing to the Good of their Subjects, of whom they are to give an Account at the Day of Judgment, to admit the ſame.

When it is ſaid, the Pope hath not, in the Territories of other States, the ſupreme Civil Power *directly*; we are to underſtand, he doth not challenge it, as other Civil Sovereigns do, from the original Submiſſion thereto of thoſe that are to be governed. For it is evident, and has already been ſufficiently in this Treatiſe demonſtrated, that the Right of all Sovereigns is derived originally from the Conſent of every one of thoſe that are to be governed; whether they that chuſe him, do it for their common Defence againſt an Enemy, as when they agree amongſt themſelves to appoint a Man, or an Aſſembly of Men, to protect them; or whether they do it, to ſave their Lives, by Submiſſion to a conquering Enemy. The Pope therefore, when he diſclaimeth the ſupreme Civil Power over other States *directly*, denieth no more, but that his Right cometh to him by that way; he ceaſeth not for all that, to claim it another way; and that is, (without the Conſent of them that are to be governed) by a Right given him by God (which he calleth *indirectly*) in his Aſſumption to the Papacy. But by what way ſoever he pretend, the Power is the ſame; and he may (if it be granted to be his Right) depoſe Princes and States, as often as it is for the Salvation of Souls, that is, as often as he will; for he claimeth alſo the ſole Power to judge, whether it be to the Salvation of Men's Souls, or not. And this is the Doctrine, not only that *Bellarmine* here, and many other Doctors teach in their Sermons and Books, but alſo that ſome Councils have decreed, and the Popes have accordingly, when the Occaſion hath ſerved them, put in Practice. For the fourth Council of *Lateran* held under Pope *Innocent* III. (in the third Chap. *de Hæreticis)* hath this Canon: *If a King at the Pope's Admonition, do not purge his Kingdom of Heretics, and being excommunicate for the ſame, make not Satisfaction within a Year, his Subjects are abſolved of their Obedience.* And the Practice hereof hath been ſeen on divers Occaſions; as in the depoſing of *Chilperic*, King of *France*; in the Tranſlation of the *Roman* Empire to *Charlemaign*; in the Oppreſſion of *John* King of *England*; in tranſferring the Kingdom of *Navarre*; and of late Years, in the League againſt *Henry* the Third of *France*, and in many more Occurrences. I think there be few Princes that conſider not this as unjuſt, and inconvenient; but I wiſh they would all reſolve to be Kings, or Subjects. Men cannot ſerve two Maſters: they ought therefore to eaſe them, either by holding the Reins of Government wholly in their own Hands; or by wholly delivering them into the Hands of the Pope; that ſuch Men as are willing to be obedient, may be protected in their Obedience. For this Diſtinction of Temporal and Spiritual Power is but Words. Power is as really divided, and as dangerouſly to all Purpoſes, by ſharing with another *indirect* Power, as with a *direct* one. But to come now to his Arguments.

The firſt is this; *The Civil Power is ſubject to the Spiritual: therefore he that hath the Supreme Power Spiritual, hath Right to command Temporal Princes, and diſpoſe of their Temporals in order to the Spiritual.* As for the Diſtinction of Temporal and Spiritual, let us conſider in what Senſe it may be ſaid intelligibly, that the Temporal, or Civil Power, is ſubject to the Spiritual. There are but two Ways that theſe Words can be made Senſe. For when we ſay, one Power is ſubject to another Power, the Meaning either is, that he which hath the one, is ſubject to him that hath the other; or that the one Power is to the other, as the Means to the End. For we cannot underſtand, that one Power hath Power over another Power; or that one Power can have Right or Command over another: for Subjection, Command, Right, and Power, are Accidents not of Powers, but of Perſons: one Power may be ſubordinate to another, as the Art of a Sadler to the Art of a Rider. If then it be granted, that the Civil Government be ordained as a Means to bring us to a ſpiritual Felicity; yet it does not follow, that if a King have the Civil Power, and the Pope the Spiritual, that therefore the King is bound to obey the Pope, more than every Sadler is bound to obey every Rider. Therefore as from Subordination of an Art, cannot be inferred the Subjection of the Profeſſor; ſo from the Subordination of a Government, cannot be inferred the Subjection of the Governor. When therefore he ſaith, the Civil Power is ſubject to the Spiritual, his Meaning is, that the Civil Sovereign is ſubject to the Spiritual Sovereign. And the Argument ſtands thus, *The Civil Sovereign is ſubject to the Spiritual; therefore the Spiritual Prince may command Temporal Princes.* Where the Concluſion is the ſame, with the Antecedent he ſhould have proved. But to prove it, he alledgeth firſt, this Reaſon, *Kings and Popes, Clergy and Laity, make but one Commonwealth; that is to ſay, but one Church: And in all Bodies the Members depend one upon another: But things Spiritual depend not of things Temporal: Therefore Temporal depend on Spiritual; and therefore are ſubject to them.* In which Argumentation there be two groſs Errors: one is, that all Chriſtian Kings, Popes, Clergy, and all other Chriſtian Men, make but one Commonwealth: For it is evidet that *France* is one Commonwealth, *Spain* another, and *Venice* a third, &c. And theſe conſiſt of Chriſtians; and therefore alſo are ſeveral Bodies of Chriſtians; that is to ſay, ſeveral Churches: and their ſeveral Sovereigns repreſent them, whereby they are capable of commanding and obeying, of doing and ſuffering, as a natural Man; which no General or Univerſal Church is, till it have a Repreſentant; which it hath not on Earth: for if it had, there is no doubt but that all *Chriſtendom* were one Commonwealth, whoſe Sovereign were that Repreſentant, both in things Spiritual and Temporal: and the Pope, to make himſelf this Repreſentant,

preſentant, wanteth three Things that our Saviour hath not given him, to *command*, and to *judge*, and to *puniſh*, otherwiſe than (by Excommunication) to run from thoſe that will not learn of him: For though the Pope were Chriſt's only Vicar, yet he cannot exerciſe his Government, till our Saviour's ſecond Coming: And then alſo it is not the Pope, but St. *Peter* himſelf, with the other Apoſtles, that are to be Judges of the World.

The other Error in this his firſt Argument is, that he ſays, the Members of every Commonwealth, as of a natural Body, depend one of another: It is true, they cohere together; but they depend only on the Sovereign, which is the Soul of the Commonwealth; which failing, the Commonwealth is diſſolved into a Civil War, no one Man ſo much as cohering to another, for want of a common Dependance on a known Sovereign; juſt as the Members of the natural Body diſſolve into Earth, for want of a Soul to hold them together. Therefore there is nothing in this Similitude, from whence to infer a Dependance of the Laity on the Clergy, or of the Temporal Officers on the Spiritual; but of both on the Civil Sovereign; which ought indeed to direct his Civil Commands to the Salvation of Souls; but is not therefore ſubject to any but God himſelf. And thus you ſee the laboured Fallacy of the firſt Argument, to deceive ſuch Men as diſtinguiſh not between the Subordination of Actions in the Way to the End; and the Subjection of Perſons one to another in the Adminiſtration of the Means. For to every End, the Means are determined by Nature, or by God himſelf ſupernaturally: but the Power to make Men uſe the Means, is in every Nation reſigned (by the Law of Nature, which forbiddeth Men to violate their Faith given) to the Civil Sovereign.

His ſecond Argument is this, *Every Commonwealth, (becauſe it is ſuppoſed to be perfect and ſufficient in itſelf) may command any other Commonwealth, not ſubject to it, and force it to change the Adminiſtration of the Government; nay, depoſe the Prince, and ſet another in his Room, if it cannot otherwiſe defend itſelf againſt the Injuries he goes about to do them: much more may a Spiritual Commonwealth command a Temporal one to change the Adminiſtration of their Government, and may depoſe Princes, and inſtitute others, when they cannot otherwiſe defend the Spiritual Good.*

That a Commonwealth, to defend itſelf againſt Injuries, may lawfully do all that he hath here ſaid, is very true; and hath already in that which hath gone before been ſufficiently demonſtrated. And if it were alſo true, that there is now in this World a Spiritual Commonwealth, diſtinct from a Civil Commonwealth, then might the Prince thereof, upon Injury done him, or upon want of Caution that Injury be not done him in Time to come, repair, and ſecure himſelf by War; which is in ſum, depoſing, killing, or ſubduing, or doing any Act of Hoſtility. But by the ſame Reaſon, it would be no leſs lawful for a Civil Sovereign, upon the like Injuries done, or feared, to make War upon the Spiritual Sovereign; which I believe is more than Cardinal *Bellarmine* would have inferred from his own Propoſition.

But ſpiritual Commonwealth there is none in this World; for it is the ſame Thing with the Kingdom of Chriſt; which he himſelf ſaith, is not of this World; but ſhall be in the next World, at the Reſurrection, when they that have lived juſtly, and believed that he was the Chriſt, ſhall (though they died *Natural* Bodies) riſe *Spiritual* Bodies; and then it is, that our Saviour ſhall judge the World, and conquer his Adverſaries, and make a Spiritual Commonwealth. In the mean Time, ſeeing there are no Men on Earth, whoſe Bodies are Spiritual, there can be no Spiritual Commonwealth amongſt Men that are yet in the Fleſh; unleſs we call Preachers, that have Commiſſion to teach, and prepare Men for their Reception into the Kingdom of Chriſt at the Reſurrection, a Commonwealth; which I have proved already to be none.

The third Argument is this, *It is not lawful for Chriſtians to tolerate an Infidel, or Heretical King, in caſe he endeavour to draw them to his Hereſy or Infidelity. But to judge whether a King draw his Subjects to Hereſy or not, belongeth to the Pope. Therefore hath the Pope Right,* to *determine whether the Prince be to be depoſed, or not depoſed.*

To this I anſwer, that both theſe Aſſertions are falſe. For Chriſtians, (or Men of what Religion ſoever) if they tolerate not their King, whatſoever Law he maketh, though it be concerning Religion, do violate their Faith, contrary to the divine Law, both *Natural* and *Poſitive*: Nor is there any Judge of Hereſy amongſt Subjects, but their own Civil Sovereign: For *Hereſy is nothing elſe, but a private Opinion, obſtinately maintained, contrary to the Opinion which the public Perſon,* (that is to ſay, the Repreſentant of the Commonwealth) *hath commanded to be taught.* By which it is manifeſt, that an Opinion publicly appointed to be taught, cannot be Hereſy; nor the Sovereign Princes that authoriſe them, Heretics. For Heretics are none but private Men, that ſtubbornly defend ſome Doctrine, prohibited by their lawful Sovereigns.

But to prove that Chriſtians are not to tolerate Infidel or Heretical Kings, he alledgeth a Place in *Deut.* xvii. where God forbiddeth the *Jews*, when they ſhall ſet a King over themſelves, to chuſe a Stranger: And from thence inferreth, that it is unlawful for a Chriſtian to chuſe a King that is not a Chriſtian. And 'tis true, that he that is a Chriſtian, that is, he that hath already obliged himſelf to receive our Saviour when he ſhall come, for his King, ſhall tempt God too much in chuſing for King in this World, one that he knoweth will endeavour both by Terror and Perſuaſion to make him violate his Faith. But, it is, ſaith he, the ſame Danger, to chuſe one that is not a Chriſtian, for King, and not to depoſe him when he is choſen. To this I ſay, the Queſtion is not of the Danger of not depoſing; but of the Juſtice of depoſing him. To chuſe him, may in ſome Caſes be unjuſt; but to depoſe him, when he is choſen, is in no Caſe juſt. For it is always Violation of Faith, and conſequently againſt the Law of Nature, which is the eternal Law of God. Nor do we read that any ſuch Doctrine was accounted Chriſtian in the Time of the Apoſtles; nor in the Time of the *Roman* Emperors, till the Popes had the Civil Sovereignty of *Rome*. But to this he hath replied, that the Chriſtians of old, depoſed not *Nero*, nor *Diocleſian*, nor *Julian*, nor *Valens* an *Arian*, for this Cauſe only, that they wanted temporal Forces. Perhaps ſo. But did our Saviour, who for calling for, might have had twelve Legions of immortal, invulnerable Angels to aſſiſt him, want Forces to depoſe *Cæſar*, or at leaſt *Pilate*, that unjuſtly, without finding Fault in him, delivered him to the *Jews* to be crucified? Or if the Apoſtles wanted temporal Forces to depoſe *Nero*, was it therefore neceſſary for them in their Epiſtles to the new made Chriſtians, to teach them (as they did) to obey the Powers conſtituted over them, (whereof *Nero* in that Time was one) and that they ought to obey them, not for Fear of their Wrath, but for Conſcience Sake? Shall we ſay they did not only obey, but alſo teach what they meant not, for want of Strength? It is not therefore for want of Strength, but for Conſcience Sake, that Chriſtians are to tolerate their Heathen Princes, or Princes (for I cannot call any one whoſe Doctrine is the public Doctrine, an

Heretic) that authoriſe the teaching of an Error. And whereas for the temporal Power of the Pope, he alledgeth further, that St. *Paul*, 1 *Cor.* vi. appointed Judges under the Heathen Princes of thoſe Times, ſuch as were not ordained by thoſe Princes; it is not true. For St. *Paul* does but adviſe them, to take ſome of their Brethren to compound their Differences, as Arbitrators, rather than to go to Law one with another before the Heathen Judges; which is a wholſome Precept, and full of Charity, fit to be practiſed alſo in the beſt Chriſtian Commonwealths. And for the Danger that may ariſe to Religion, by the Subjects tolerating of an Heathen, or an erring Prince, it is a Point, of which a Subject is no competent Judge; or if he be, the Pope's temporal Subjects may judge alſo of the Pope's Doctrine. For every Chriſtian Prince, as I have formerly proved, is no leſs ſupreme Paſtor of his own Subjects, than the Pope of his.

The fourth Argument, is taken from the Baptiſm of Kings; wherein, that they may be made Chriſtians, they ſubmit their Scepters to *Chriſt*; and promiſe to keep, and defend the Chriſtian Faith. This is true; for Chriſtian Kings are no more but *Chriſt*'s Subjects: but they may, for all that, be the Pope's Fellows; for they are ſupreme Paſtors of their own Subjects; and the Pope is no more but King, and Paſtor, even in *Rome* itſelf.

The fifth Argument, is drawn from the Words ſpoken by our Saviour, *Feed my Sheep*; by which was given all Power neceſſary for a Paſtor; as the Power to chaſe away Wolves, ſuch as are Heretics; the Power to ſhut up Rams, if they be mad, or puſh at the other Sheep with their Horns, ſuch as are evil (though Chriſtian) Kings; and Power to give the Flock convenient Food: From whence he inferreth, that St. *Peter* had theſe three Powers given him by *Chriſt*. To which I anſwer, that the laſt of theſe Powers, is no more than the Power, or rather Command, to teach. For the firſt, which is to chaſe away Wolves, that is, Heretics, the Place he quoteth is, *Matth.* vii. 15. *Beware of falſe Prophets which come to you in Sheeps clothing, but inwardly are ravening Wolves.* But neither are Heretics falſe Prophets, or at all Prophets: nor, admiting Heretics for the Wolves there meant, were the Apoſtles commanded to kill them, or if they were Kings, to depoſe them; but to beware of, fly, and avoid them: nor was it to St. *Peter*, nor to any of the Apoſtles, but to the Multitude of the *Jews* that followed him into the Mountain, Men for the moſt part not yet converted, that he gave this Counſel, to beware of falſe Prophets: which therefore if it confer a Power of chaſing away Kings, was given, not only to private Men, but to Men that were not at all Chriſtians. And as to the Power of ſeparating, and ſhutting up of furious Rams (by which he meaneth Chriſtian Kings that refuſe to ſubmit themſelves to the *Roman* Paſtor) our Saviour refuſed to take upon him that Power in this World himſelf, but adviſed to let the Corn and Tares grow up together till the Day of Judgment: much leſs did he give it to St. *Peter*, or can St. *Peter* give it to the Popes. St. *Peter*, and all other Paſtors, are bidden to eſteem thoſe Chriſtians that diſobey the Church, (that is, that diſobey the Chriſtian Sovereign) as Heathen Men, and as Publicans. Seeing then Men challenge to the Pope no Authority over Heathen Princes, they ought to challenge none over thoſe that are to be eſteemed as Heathen.

But from the Power to teach only, he inferreth alſo a coercive Power in the Pope, over Kings. The Paſtor, ſaith he, muſt give his Flock convenient Food: Therefore the Pope may, and ought to compel Kings to do their Duty. Out of which it followeth, that the Pope, as Paſtor of Chriſtian Men, is King of Kings: which all Chriſtian Kings ought indeed either to confeſs, or elſe they ought to take upon themſelves the ſupreme paſtoral Charge, every one in his own Dominion.

His ſixth and laſt Argument, is from Examples. To which I anſwer, firſt, that Examples prove nothing: Secondly, that the Examples he alledgeth make not ſo much as a Probability of Right. The Fact of *Jehoiada*, in killing *Athaliah*, 2 *Kings* xi. was either by the Authority of King *Joaſh*, or it was a horrible Crime in the High Prieſt, which, ever after the Election of King *Saul*, was a mere Subject. The Fact of St. *Ambroſe*, in excommunicating *Theodoſius* the Emperor (if it were true he did ſo) was a capital Crime. And for the Popes, *Gregory* I. *Gregory* II. *Zachary*, and *Leo* III. their Judgments are void, as given in their own Cauſe; and the Acts done by them conformably to this Doctrine, are the greateſt Crimes (eſpecially that of *Zachary*) that are incident to human Nature. And thus much of *Power Eccleſiaſtical*; wherein I had been more brief, forbearing to examine theſe Arguments of *Bellarmine*, if they had been his, as a private Man, and not as the Champion of the Papacy, againſt all other Chriſtian Princes and States.

CHAP. XLIII.

Of what is Neceſſary *for a Man's Reception into the Kingdom of Heaven.*

The Difficulty of obeying God and Man both at once,

THE moſt frequent Pretext of Sedition, and Civil War, in Chriſtian Commonwealths, hath a long Time proceeded from a Difficulty, not yet ſufficiently reſolved, of obeying at once both God and Man, then, when their Commandments are one contrary to the other. It is manifeſt enough, that when a Man receiveth two contrary Commands, and knows that one of them is God's, he ought to obey that, and not the other, though it be the Command even of his lawful Sovereign, (whether a Monarch or a Sovereign Aſſembly) or the Command of his Father. The Difficulty therefore conſiſteth in this, that Men when they are commanded in the Name of God, know not in divers Caſes, whether the Command be from God, or whether he that commandeth, do but abuſe God's Name for ſome private Ends of his own. For as there were in the Church of the *Jews* many falſe Prophets, that ſought Reputation with the People, by feigned Dreams, and Viſions; ſo there have been in all Times in the Church of *Chriſt*, falſe Teachers, that ſeek Reputation with the People, by fantaſtical and falſe Doctrines; and by ſuch Reputation, (as is the Nature of Ambition) to govern them for their private Benefit.

Is none to them that diſtinguiſh between what is, and what is not neceſſary to Salvation.

But this Difficulty of obeying both God and the Civil Sovereign on Earth, to thoſe that can diſtinguiſh between what is *neceſſary*, and what is not *neceſſary*, for their *Reception* into the *Kingdom of God*, is of no Moment. For if the Command of the Civil Sovereign be ſuch, as that it may be obeyed, without the Forfeiture of Life eternal; not to obey it is unjuſt; and the Precept of the Apoſtle takes place; *Servants, obey your Maſters in all things*; and, *Children, obey your Parents in all Things*; and the Precept of our Saviour, *The Scribes and Phariſees ſit in Moſes' Chair, all therefore they ſhall ſay, that obſerve and do.* But if the Command be ſuch, as cannot be obeyed, without being damned to eternal Death, then it were Madneſs to obey it, and the Counſel of our Saviour takes Place, *Matth.* x. 28. *Fear not thoſe that kill the Body, but cannot* *kill the Soul.* All Men therefore that would avoid, both the Puniſhments that are to be in this World inflicted, for Diſobedience to their earthly Sovereign, and thoſe that ſhall be inflicted in the World to come, for Diſobedience to God, have need be taught to diſtinguiſh well between what is, and what is not neceſſary to eternal Salvation.

All that is neceſſary to Salvation is contained in Faith and Obedience.

All that is *neceſſary to Salvation*, is contained in two Virtues, *Faith in Chriſt*, and *Obedience to Laws.* The latter of theſe, if it were perfect, were enough to us. But becauſe we are all guilty of Diſobedience to God's Law, not only originally in *Adam*, but alſo actually by our own Tranſgreſſions, there is required at our Hands now, not only *Obedience* for the reſt of our Time, but alſo a *Remiſſion* of Sins for the Time paſt; which Remiſſion is the Reward of our Faith in *Chriſt*. That nothing elſe is neceſſarily required to Salvation, is manifeſt from this, that the Kingdom of Heaven is ſhut to none but to Sinners; that is to ſay, to the Diſobedient, or Tranſgreſſors of the Law; nor to them, in caſe they repent, and believe all the Articles of Chriſtian Faith, neceſſary to Salvation.

What Obedience is neceſſary;

The Obedience required at our Hands by God, that accepteth in all our Actions the Will for the Deed, is a ſerious Endeavour to obey him; and is called alſo by all ſuch Names as ſignify that Endeavour. And therefore Obedience is ſometimes called by the Names of *Charity*, and *Love*, becauſe they imply a Will to obey; and our Saviour himſelf maketh our Love to God, and to one another, a fulfilling of the whole Law: and ſometimes by the Name of *Righteouſneſs*; for Righteouſneſs is but the Will to give to every one his own, that is to ſay, the Will to obey the Laws: and ſometimes by the Name of *Repentance*; becauſe to repent, implieth a turning away from Sin, which is the ſame with the Return of the Will to Obedience. Whoſoever therefore unfeignedly deſireth to fulfil the Commandments of God, or repenteth him truly of his Tranſgreſſions, or that loveth God with all his Heart, and his Neighbour as himſelf, hath all the Obedience neceſſary to his Reception into the Kingdom of God: For if God ſhould require perfect Innocence, there could no Fleſh be ſaved.

And to what Laws.

But what Commandments are thoſe that God hath given us? Are all thoſe Laws which were given to the *Jews* by the Hand of *Moſes*, the Commandments of God? If they be, why are not Chriſtians taught to obey them? If they be not, what others are ſo, beſides the Law of Nature? For our Saviour *Chriſt* hath not given us new Laws, but Counſel to obſerve thoſe we are ſubject to; that is to ſay, the Laws of Nature, and the Laws of our ſeveral Sovereigns: Nor did he make any new Law to the *Jews* in his Sermon on the Mount, but only expounded the Laws of *Moſes*, to which they were ſubject before. The Laws of God therefore are none but the Laws of Nature, whereof the principal is, that we ſhould not violate our Faith, that is, a Commandment to obey our Civil Sovereigns, which we conſtituted over us, by mutual Pact one with another. And this Law of God, that commandeth Obedience to the Law Civil, commandeth by Conſequence, Obedience to all the Precepts of the Bible; which (as I have proved in the precedent Chapter) is there only Law, where the Civil Sovereign hath made it ſo; and in other Places but Counſel; which a Man at his own Peril, may without Injuſtice refuſe to obey.

In the Faith of a Chriſtian, who is the Perſon believed.

Knowing now what is the Obedience neceſſary to Salvation, and to whom it is due; we are to conſider next concerning Faith, whom, and why we believe; and what are the Articles, or Points neceſſarily to be believed by them that ſhall be ſaved. And firſt, for the Perſon whom we believe, becauſe it is impoſſible to believe any Perſon, before we know what he ſaith, it is neceſſary he be one that we have heard ſpeak. The Perſon therefore, whom *Abraham*, *Iſaac*, *Jacob*, *Moſes*, and the Prophets believed, was God himſelf, that ſpake unto them ſupernaturally: and the Perſon, whom the Apoſtles and Diſciples that converſed with Chriſt believed, was our Saviour himſelf. But of them, to whom neither God the Father, nor our Saviour ever ſpake, it cannot be ſaid, that the Perſon whom they believed, was God. They believed the Apoſtles, and after them the Paſtors and Doctors of the Church, that recommended to their Faith the Hiſtory of the Old and New Teſtament: ſo that the Faith of Chriſtians, ever ſince our Saviour's Time, hath had for Foundation, firſt, the Reputation of their Paſtors, and afterward, the Authority of thoſe that made the Old and New Teſtament to be received for the Rule of Faith; which none could do but Chriſtian Sovereigns; who are therefore the ſupreme Paſtors, and the only Perſons, whom Chriſtians now hear ſpeak from God; except ſuch as God ſpeaketh to, in theſe Days ſupernaturally. But becauſe there be many falſe Prophets *gone out into the World*, other Men are to examine ſuch Spirits, as St. *John* adviſeth us, 1 Epiſt. Chap. iv. ver. 1. *whether they be of God, or not*. And therefore, ſeeing the Examination of Doctrines belongeth to the ſupreme Paſtor, the Perſon which all they that have no ſpecial Revelation are to believe, is (in every Commonwealth) the ſupreme Paſtor, that is to ſay, the Civil Sovereign.

The Cauſes of Chriſtian Faith.

The Cauſes why Men believe any Chriſtian Doctrine, are various: for Faith is the Gift of God; and he worketh it in each ſeveral Man, by ſuch Ways, as it ſeemeth good unto himſelf. The moſt ordinary immediate Cauſe of our Belief, concerning any Point of Chriſtian Faith, is, that we believe the Bible to be the Word of God. But why we believe the Bible to be the Word of God, is much diſputed, as all Queſtions muſt needs be, that are not well ſtated. For they make not the Queſtion to be, *Why we believe it*, but, *How we know it*; as if *Believing* and *Knowing* were all one. And thence while one Side ground their Knowledge upon the Infallibility of the Church, and the other Side, on the Teſtimony of the private Spirit, neither Side concludeth what it pretends. For how ſhall a Man know the Infallibility of the Church, but by knowing firſt the Infallibility of the Scripture? or how ſhall a Man know his own private Spirit to be other than a Belief, grounded upon the Authority and Arguments of his Teachers; or upon a Preſumption of his own Gifts? Beſides, there is nothing in the Scripture, from which can be inferred the Infallibility of the Church; much leſs, of any particular Church; and leaſt of all, the Infallibility of any particular Man.

Faith comes by Hearing.

It is manifeſt therefore, that Chriſtian Men do not know, but only believe the Scripture to be the Word of God; and that the Means of making them believe what God is pleaſed to afford Men ordinarily, is according to the Way of Nature, that is to ſay, from their Teachers. It is the Doctrine of St. *Paul* concerning Chriſtian Faith in general, *Rom.* x. 17. *Faith cometh by Hearing*, that is, by hearing our lawful Paſtors. He ſaith alſo, ver. 14, 15. of the ſame Chapter, *How ſhall they believe in him of whom they have not heard? and how ſhould they hear without a Preacher? and how ſhall they preach, except they be ſent?* Whereby it is evident, that the ordinary Cauſe of believing that the Scriptures are the Word of God, is the ſame with the Cauſe of the believing of all other Articles of our Faith, namely, the Hearing of thoſe that are by the Law allowed and appointed to teach us, as our Parents in their Houſes, and our Paſtors in the Churches: which alſo is made more manifeſt by Experience. For what other Cauſe can there be aſſigned, why in Chriſtian Commonwealths all Men either believe, or at leaſt profeſs the Scripture

ture to be the Word of God, and in other Commonwealths ſcarce any; but that in Chriſtian Commonwealths they are taught it from their Infancy; and in other Places they are taught otherwiſe?

But if Teaching be the Cauſe of Faith, why do not all believe? It is certain therefore that Faith is the Gift of God, and he giveth it to whom he will. Nevertheleſs, becauſe to them to whom he giveth it, he giveth it by the Means of Teachers, the immediate Cauſe of Faith is Hearing. In a School, where many are taught, and ſome profit, and others profit not, the Cauſe of Learning in them that profit, is the Maſter; yet it cannot be thence inferred, that Learning is not the Gift of God. All good Things proceed from God; yet cannot all that have them ſay they are inſpired; for that implies a Gift ſupernatural; and the immediate Hand of God; which he that pretends to, pretends to be a Prophet, and is ſubject to the Examination of the Church.

But whether Men *know*, or *believe*, or *grant* the Scriptures to be the Word of God; if out of ſuch Places of them, as are without Obſcurity, I ſhall ſhew what Articles of Faith are neceſſary, and only neceſſary for Salvation, thoſe Men muſt needs *know*, *believe*, or *grant* the ſame.

The only neceſſary Article of Chriſtian Faith;

The *(unum neceſſarium)* only Article of Faith, which the Scripture maketh ſimply neceſſary to Salvation, is this, that *Jeſus is the Chriſt*. By the Name of *Chriſt* is underſtood the King, which God had before promiſed by the Prophets of the Old Teſtament, to ſend into the World, to reign (over the *Jews*, and over ſuch of other Nations as ſhould believe in him) under himſelf eternally; and to give them that eternal Life, which was loſt by the Sin of *Adam*. Which when I have proved out of Scripture, I will further ſhew when, and in what Senſe, ſome other Articles may be alſo called *neceſſary*.

Proved from the Scope of the Evangeliſts:

For Proof that the Belief of this Article, *Jeſus is the Chriſt*, is all the Faith required to Salvation, my firſt Argument ſhall be from the Scope of the Evangeliſts; which was by the Deſcription of the Life of our Saviour, to eſtabliſh that one Article, *Jeſus is the Chriſt*. The Sum of St. *Matthew*'s Goſpel is this, that *Jeſus* was of the Stock of *David*; born of a Virgin; which are the Marks of the true Chriſt: that the *Magi* came to worſhip him as King of the *Jews*: that *Herod* for the ſame Cauſe ſought to kill him: that *John Baptiſt* proclaimed him: that he preached by himſelf, and his Apoſtles, that he was that King: that he taught the Law, not as a Scribe, but as a Man of Authority: that he cured Diſeaſes, by his Word only, and did many other Miracles, which were foretold the Chriſt ſhould do: that he was ſaluted King when he entered into *Jeruſalem*: that he forewarned them to beware of all others that ſhould pretend to be Chriſt: that he was taken, accuſed, and put to Death, for ſaying, he was King: that the Cauſe of his Condemnation written on the Croſs, was, JESUS OF NAZARETH, THE KING OF THE JEWS. All which tend to no other End than this, that Men ſhould believe, that *Jeſus is the Chriſt*. Such therefore was the Scope of St. *Matthew*'s Goſpel. But the Scope of all the Evangeliſts (as may appear by reading them) was the ſame. Therefore the Scope of the whole Goſpel, was the eſtabliſhing of that only Article. And St. *John* expreſly makes it his Concluſion, *John* xx. 31. *Theſe things are written, that you may know that Jeſus is the Chriſt, the Son of the living God.*

From the Sermons of the Apoſtles:

My ſecond Argument is taken from the Subject of the Sermons of the Apoſtles, both whilſt our Saviour lived on Earth, and after his Aſcenſion. The Apoſtles in our Saviour's Time were ſent, *Luke* ix. 2. to preach the Kingdom of God: For neither there, nor *Matt*. x. 7. giveth he any Commiſſion to them, other than this, *As ye go, preach, ſaying, the Kingdom of Heaven is at hand*; that is, that *Jeſus* is the *Meſſiah*, the *Chriſt*, the *King* which was to come. That their Preaching alſo after his Aſcenſion was the ſame, is manifeſt out of *Acts* xvii. 6. *They drew,* (ſaith St. *Luke) Jaſon and certain Brethren unto the Rulers of the City, crying, Theſe that have turned the World upſide down are come hither alſo, whom Jaſon hath received. And theſe all do contrary to the Decrees of Cæſar, ſaying, that there is another King, one Jeſus:* And out of the 2d and 3d Verſes of the ſame Chapter, where it is ſaid, that St. *Paul, as his Manner was, went in unto them; and three Sabbath Days reaſoned with them out of the Scriptures; opening and alledging, that Chriſt muſt needs have ſuffered, and riſen again from the dead, and that this Jeſus (whom he preached) is Chriſt.*

From the Eaſineſs of the Doctrine:

The third Argument is, from thoſe Places of Scripture, by which all the Faith required to Salvation is declared to be eaſy. For if an inward Aſſent of the Mind to all the Doctrines concerning Chriſtian Faith now taught, (whereof the greateſt Part are diſputed) were neceſſary to Salvation, there would be nothing in the World ſo hard, as to be a Chriſtian. The Thief upon the Croſs, though repenting, could not have been ſaved for ſaying, *Lord, remember me when thou comeſt into thy Kingdom*; by which he teſtified no Belief of any other Article, but this, That *Jeſus was the King*. Nor could it be ſaid, as it is, *Matt.* xi. 30. that *Chriſt's Yoke is eaſy, and his Burthen light:* Nor that *little Children believe in him*, as it is, *Matt.* xviii. 6. Nor could St. *Paul* have ſaid, 1 *Cor.* i. 21. *It pleaſed God by the Fooliſhneſs of preaching, to ſave them that believe:* Nor could St. *Paul* himſelf have been ſaved, much leſs have been ſo great a Doctor of the Church ſo ſuddenly, that never perhaps thought of Tranſubſtantiation, nor Purgatory, nor many other Articles now obtruded.

From formal and clear Texts:

The fourth Argument is taken from Places expreſs, and ſuch as receive no Controverſy of Interpretation; as firſt, *John* v. 39. *Search the Scriptures, for in them ye think ye have eternal Life; and they are they that teſtify of me.* Our Saviour here ſpeaketh of the Scriptures only of the Old Teſtament; for the *Jews* at that Time could not ſearch the Scriptures of the New Teſtament, which were not written. But the Old Teſtament hath nothing of Chriſt, but the Marks by which Men might know him when he came; as that he ſhould deſcend from *David*; be born at *Bethlehem*, and of a Virgin; do great Miracles, and the like. Therefore to believe that this *Jeſus* was he, was ſufficient to eternal Life: but more than ſufficient is not neceſſary; and conſequently no other Article is required. Again, *John* xi. 26. *Whoſoever liveth and believeth in me, ſhall not die eternally.* Therefore to believe in Chriſt, is Faith ſufficient to eternal Life; and conſequently no more Faith than that is neceſſary, but to believe in *Jeſus*, and to believe that *Jeſus* is the Chriſt, is all one, as appeareth in the Verſes immediately following. For when our Saviour, ver. 26. had ſaid to *Martha, Believeſt thou this?* ſhe anſwered, ver. 27. *Yea, Lord, I believe that thou art the Chriſt, the Son of God, which ſhould come into the World:* Therefore this Article alone is Faith ſufficient to Life eternal; and more than ſufficient is not neceſſary. Thirdly, *John* xx. 31. *Theſe Things are written that ye might believe, that Jeſus is the Chriſt, the Son of God, and that believing, ye might have Life through his Name.* There, to believe that *Jeſus is the Chriſt*, is Faith ſufficient to the obtaining of Life; and therefore no other Article is neceſſary. Fourthly, 1 *John* iv. 2. *Every Spirit that confeſſeth that Jeſus Chriſt is come in the Fleſh, is of God.* And 1 John v. 1. *Whoſoever believeth that Jeſus is the Chriſt, is born of God.* And ver. 5. *Who is he that overcometh the World, but he that believeth that Jeſus is the Son of God?* Fifthly, *Acts* viii. 36. 37. *See* (ſaith the Eunuch) *here is Water, what doth hinder me to be baptized? And Philip ſaid, If thou believeſt with all*

all thy Heart thou mayſt. And he anſwered and ſaid, I believe that Jeſus Chriſt is the Son of God. Therefore this Article believed, *Jeſus is the Chriſt,* is ſufficient to Baptiſm, that is to ſay, to our Reception into the Kingdom of God, and by Conſequence, only neceſſary. And generally in all Places where our Saviour ſaith to any Man, *Thy Faith hath ſaved thee,* the Cauſe he ſaith it, is ſome Confeſſion, which directly, or by Conſequence, implieth a Belief, *that Jeſus is the Chriſt.*

From that it is the Foundation of all other Articles.

The laſt Argument is from the Places, where this Article is made the Foundation of Faith: For he that holdeth the Foundation ſhall be ſaved. Which Places are firſt, *Matt.* xxiv. 23. *If any Man ſhall ſay unto you, Lo, here is Chriſt, or there, believe it not, for there ſhall ariſe falſe Chriſts, and falſe Prophets, and ſhall ſhew great Signs and Wonders,* &c. Here we ſee, this Article, *Jeſus is the Chriſt,* muſt be held, though he that ſhall teach the contrary ſhould do Miracles. The ſecond Place is, *Gal.* i. 8. *Though we, or an Angel from Heaven, preach any other Goſpel unto you, than that we have preached unto you, let him be accurſed.* But the Goſpel which *Paul,* and the other Apoſtles, preached, was only this Article, that *Jeſus is the Chriſt:* Therefore for the Belief of this Article, we are to reject the Authority of an Angel from Heaven; much more of any mortal Man, if he teach the contrary. This is therefore the fundamental Article of Chriſtian Faith. A third Place is, 1 *John* iv. 1. *Beloved, believe not every Spirit. Hereby ye ſhall know the Spirit of God; every Spirit that confeſſeth that Jeſus Chriſt is come in the Fleſh, is of God.* By which it is evident, that this Article is the Meaſure and Rule, by which to eſtimate and examine all other Articles; and is therefore only fundamental. A fourth is, *Matt.* xvi. 18. where after St. *Peter* had profeſſed this Article, ſaying to our Saviour, *Thou art Chriſt, the Son of the living God,* our Saviour anſwered, *Thou art Peter, and upon this Rock I will build my Church:* from whence I infer, that this Article is that, on which all other Doctrines of the Church are built, as on their Foundation. A fifth is, 1 *Cor.* iii. 11, 12, &c. *Other Foundation can no Man lay, than that which is laid, Jeſus is the Chriſt. Now if any Man build upon this Foundation, Gold, Silver, precious Stones, Wood, Hay, Stubble; every Man's Work ſhall be made manifeſt; for the Day ſhall declare it, becauſe it ſhall be revealed by Fire, and the Fire ſhall try every Man's Work, of what Sort it is. If any Man's Work abide, which he hath built thereupon, he ſhall receive a Reward: If any Man's Work ſhall be burnt, he ſhall ſuffer Loſs; but he himſelf ſhall be ſaved, yet ſo as by Fire.* Which Words, being partly plain and eaſy to underſtand, and party allegorical and difficult; out of that which is plain, may be inferred, that Paſtors that teach this Foundation, that *Jeſus is the Chriſt,* though they draw from it falſe Conſequences, (which all Men are ſometimes ſubject to) they may nevertheleſs be ſaved; much more that they may be ſaved, who being no Paſtors, but Hearers, believe that which is by their lawful Paſtors taught them. Therefore the Belief of this Article is ſufficient; and by Conſequence, there is no other Article of Faith neceſſarily required to Salvation.

Now for the Part which is allegorical, as, *That the Fire ſhall try every Man's Work,* and that *They ſhall be ſaved, but ſo as by Fire,* or *through Fire,* (for the Original is διὰ πυρὸς) it maketh nothing againſt this Concluſion which I have drawn from the other Words, that are plain. Nevertheleſs, becauſe upon this Place there hath been an Argument taken, to prove the Fire of Purgatory, I will alſo here offer you my Conjecture concerning the Meaning of this Tryal of Doctrines, and ſaving of Men as by Fire. The Apoſtle here ſeemeth to allude to the Words of the Prophet *Zachary,* Chap xiii. 8, 9. who ſpeaking of the Reſtoration of the

Kingdom of God, ſaith thus, *Two Parts therein ſhall be cut off, and die, but the third ſhall be left therein; and I will bring the third Part through the Fire, and will refine them as Silver is refined, and will try them as Gold is tried; they ſhall call on the Name of the Lord, and I will hear them.* The Day of Judgment, is the Day of the Reſtoration of the Kingdom of God; and at that Day it is, that St. *Peter* tells us * ſhall be the Conflagration of the World, wherein the wicked ſhall periſh; but the Remnant which God will ſave, ſhall paſs through that Fire, unhurt, and be therein (as Silver and Gold are refined by the Fire from their Droſs) tried, and refined from their Idolatry, and be made to call upon the Name of the true God. Alluding whereto St. *Paul* here ſaith, That *the Day* (that is, the Day of Judgment, the great Day of our Saviour's Coming to reſtore the Kingdom of God in *Iſrael)* ſhall try every Man's Doctrine, by judging, which are Gold, Silver, precious Stones, Wood, Hay, Stubble; and then they that have built falſe Conſequences on the true Foundation, ſhall ſee their Doctrines condemned; nevertheleſs they themſelves ſhall be ſaved, and paſs unhurt through this univerſal Fire, and live eternally, to call upon the Name of the true and only God. In which Senſe there is nothing that accordeth not with the reſt of holy Scripture, or any Glimpſe of the Fire of Purgatory.

2 Pet. iii. 7, 10, 12.

In what Senſe other Articles may be called neceſſary.

But a Man may here aſk, whether it be not as neceſſary to Salvation, to believe, that God is Omnipotent; Creator of the World; that *Jeſus Chriſt* is riſen; and that all Men elſe ſhall riſe again from the Dead at the laſt Day; as to believe, that *Jeſus is the Chriſt.* To which I anſwer, they are; and ſo are many more Articles: but they are ſuch, as are contained in this one, and may be deduced from it, with more or leſs Difficulty. For who is there that does not ſee, that they who believe *Jeſus* to be the Son of the God of *Iſrael*, and that the *Iſraelites* had for God the Omnipotent Creator of all Things, do therein alſo believe, that God is the Omnipotent Creator of all Things? Or how can a Man believe, that *Jeſus* is the King that ſhall reign eternally, unleſs he believe him alſo riſen again from the Dead? For a dead Man cannot exerciſe the Office of a King. In ſum, he that holdeth this Foundation, *Jeſus is the Chriſt*, holdeth expreſly all that he ſeeth rightly deduced from it, and implicitly all that is conſequent thereunto, though he have not Skill enough to diſcern the Conſequence. And therefore it holdeth ſtill good, that the Belief of this one Article is ſufficient Faith to obtain Remiſſion of Sins to the *Penitent*, and conſequently to bring them into the Kingdom of Heaven.

That Faith and Obedience are both of them neceſſary to Salvation.

Now I have ſhewn, that all the Obedience required to Salvation, conſiſteth in the Will to obey the Law of God, that is to ſay, in Repentance; and all the Faith required to the ſame, is comprehended in the Belief of this Article, *Jeſus is the Chriſt*; I will further alledge thoſe Places of the Goſpel, that prove, that all that is neceſſary to Salvation is contained in both theſe joined together. The Men to whom St. *Peter* preached on the Day of Pentecoſt, next after the Aſcenſion of our Saviour, aſked him, and the reſt of the Apoſtles, ſaying, *Acts* ii. 37. *Men and Brethren, what ſhall we do?* To whom St. *Peter* anſwered (in the next Verſe) *Repent, and be baptized every one of you, for the Remiſſion of Sins, and ye ſhall receive the Gift of the Holy Ghoſt.* Therefore Repentance, and Baptiſm, that is, believing that *Jeſus is the Chriſt*, is all that is neceſſary to Salvation. Again, our Saviour being aſked by a certain Ruler, *Luke* xviii. 18. *What ſhall I do to inherit eternal Life?* anſwered, ver. 20. *Thou knoweſt the Commandments, do not commit Adultery, do not kill, do not ſteal, do not bear falſe Witneſs, honour thy Father and thy Mother:* which when he ſaid he had obſerved, our Saviour added, *Sell all thou haſt, give it to the Poor, and come and follow me:* which was as much as to ſay, Rely on me that am the King: Therefore to fulfil the Law, and to believe that *Jeſus* is the King, is all that is required to bring a Man to eternal Life. Thirdly, St. *Paul* ſaith, *Rom.* i. 17. *The juſt ſhall live by Faith*, not every one, but the *juſt*; therefore *Faith* and *Juſtice*, (that is, the *Will to be juſt*, or *Repentance*) are all that is neceſſary to Life eternal. And, *Mark* i. 15. our Saviour preached, ſaying, *The Time is fulfilled, and the Kingdom of God is at hand, repent and believe the Evangile*, that is, the good News that the Chriſt was come. Therefore to repent, and believe that *Jeſus* is the Chriſt, is all that is required to Salvation.

What each of them contributes thereunto.

Seeing then it is neceſſary that Faith and Obedience (implied in the Word Repentance) do both concur to our Salvation; the Queſtion by which of the two we are juſtified, is impertinently diſputed. Nevertheleſs, it will not be impertinent to make manifeſt in what Manner each of them contributes thereunto; and in what Senſe it is ſaid, that we are to be juſtified by the one, and by the other. And firſt, if by Righteouſneſs be underſtood the Juſtice of the Works themſelves, there is no Man that can be ſaved; for there is none that hath not tranſgreſſed the Law of God. And therefore when we are ſaid to be juſtified by Works, it is to be underſtood of the Will, which God doth always accept for the Work itſelf, as well in good as in evil Men. And in this Senſe only it is, that a Man is called *juſt* or *unjuſt*; and that his Juſtice juſtifies him, that is, gives him the Title, in God's Acceptation, of *Juſt*; and renders him capable of *living by his Faith*, which before he was not. So that Juſtice juſtifies in that Senſe, in which to juſtify, is the ſame as to *denominate a Man juſt*: and not in the Signification of diſcharging the Law; whereby the Puniſhment of his Sins ſhould be unjuſt.

But a Man is then alſo ſaid to juſtified, when his Plea, though in itſelf unſufficient, is accepted; as when we plead our Will, our Endeavour to fulfil the Law, and repent us of our Failings, and God accepteth it for the Performance itſelf: And becauſe God accepteth not the Will for the Deed, but only in the Faithful; it is therefore Faith that makes good our Plea; and in this Senſe it is, that Faith only juſtifies: So that *Faith* and *Obedience* are both neceſſary to Salvation; yet in ſeveral Senſes each of them is ſaid to juſtify.

Obedience to God and to the Civil Sovereign not inconſiſtent, whether Chriſtian,

Having thus ſhewn what is neceſſary to Salvation; it is not hard to reconcile our Obedience to God, with our Obedience to the Civil Sovereign; who is either Chriſtian or Infidel. If he be a Chriſtian, he alloweth the Belief of this Article, that *Jeſus is the Chriſt*; and of all the Articles that are contained in, or are by evident Conſequence deduced from it: which is all the Faith neceſſary to Salvation. And becauſe he is a Sovereign, he requireth Obedience to all his own, that is, to all the Civil Laws; in which alſo are contained all the Laws of Nature, that is, all the Laws of God: for beſides the Laws of Nature, and the Laws of the Church, which are Part of the Civil Law, (for the Church that can make Laws is the Commonwealth) there be no other Laws divine. Whoſoever therefore obeyeth his Chriſtian Sovereign, is not thereby hindred, neither from believing, nor from obeying God. But ſuppoſe that a Chriſtian King ſhould from this Foundation, *Jeſus is the Chriſt*, draw ſome falſe Conſequences, that is to ſay, make ſome Superſtructions of Hay or Stubble, and command the teaching of the ſame; yet ſeeing St. *Paul* ſays, he ſhall be ſaved; much more ſhall he be ſaved, that teacheth them by his Command; and much more yet, he that teaches not, but only believes his lawful Teacher. And in caſe a Subject be forbidden by the Civil Sovereign to profeſs ſome of thoſe his Opinions, upon what juſt Ground can he diſobey? Chriſtian Kings may err in deducing a Conſequence,

ſequence, but who ſhall judge? Shall a private Man judge, when the Queſtion is of his own Obedience? or ſhall any Man judge but he that is appointed thereto by the Church, that is, by the Civil Sovereign that repreſenteth it? or if the Pope, or an Apoſtle judge, may he not err in deducing of a Conſequence? did not one of the two, St. *Peter* or St. *Paul*, err in a Superſtructure, when St. *Paul* withſtood St. *Peter* to his Face? There can therefore be no Contradiction between the Laws of God, and the Laws of a Chriſtian Commonwealth.

Or Infidel.

And when the Civil Sovereign is an Infidel, every one of his own Subjects that reſiſteth him, ſinneth againſt the Laws of God (for ſuch are the Laws of Nature) and rejecteth the Counſel of the Apoſtles, that admoniſheth all Chriſtians to obey their Princes, and all Children and Servants to obey their Parents and Maſters, in all Things. And for their *Faith*, it is internal and inviſible; they have the Licence that *Naaman* had, and need not put themſelves into Danger for it. But if they do, they ought to expect their Reward in Heaven, and not complain of their lawful Sovereign; much leſs make War upon him. For he that is not glad of any juſt Occaſion of Martyrdom, has not the Faith he profeſſeth, but pretends it only, to ſet ſome Colour upon his own Contumacy. But what Infidel King is ſo unreaſonable, as, knowing he has a Subject that waiteth for the ſecond Coming of Chriſt, after the preſent World ſhall be burnt, and intendeth then to obey him (which is the Intent of believing that *Jeſus* is the Chriſt) and in the mean Time thinketh himſelf bound to obey the Laws of that Infidel King, (which all Chriſtians are obliged in Conſcience to do) to put to Death, or to perſecute ſuch a Subject?

And thus much ſhall ſuffice, concerning the Kingdom of God, and Policy Eccleſiaſtical. Wherein I pretend not to advance any Poſition of my own, but only to ſhew what are the Conſequences that ſeem to me deducible from the Principles of Chriſtian Politics, (which are the holy Scriptures) in Confirmation of the Power of Civil Sovereigns, and the Duty of their Subjects. And in the Allegation of Scripture, I have endeavoured to avoid ſuch Texts as are of obſcure, or controverted Interpretation; and to alledge none, but in ſuch Senſe as is moſt plain and agreeable to the Harmony and Scope of the whole Bible; which was written for the Re-eſtabliſhment of the Kingdom of God in Chriſt. For it is not the bare Words, but the Scope of the Writer, that giveth the true Light, by which any Writing is to be interpreted; and they that inſiſt upon ſingle Texts, without conſidering the main Deſign, can derive nothing from them clearly; but rather by caſting Atoms of Scripture, as Duſt, before Men's Eyes, make every thing more obſcure than it is; an ordinary Artifice of thoſe that ſeek not the Truth, but their own Advantage.

OF THE
Kingdom of Darkneſs.

PART IV.

CHAP. XLIV.

Of Spiritual Darkneſs, *from* Miſrepreſentation *of Scripture.*

The Kingdom of Darkneſs, what.

BESIDES theſe Sovereign Powers, *Divine*, and *Human*, of which I have hitherto diſcourſed, there is Mention in Scripture of another Power, namely, that of * *the Rulers of the Darkneſs of this World*, † *the Kingdom of Satan*, and ‡ *the Principality of Beelzebub over Dæmons*, that is to ſay, over Phantaſms that appear in the Air: for which Cauſe Satan is alſo called § *the Prince of the Power of the Air*; and (becauſe he ruleth in the Darkneſs of this World) || *the Prince of this World*: and in Conſequence hereunto, they who are under his Dominion, in Oppoſition to the Faithful (who are the *Children of the Light*) are called the *Children of Darkneſs*. For ſeeing Beelzebub is Prince of Phantaſms, Inhabitants of his Dominion of Air and Darkneſs, the Children of Darkneſs, and theſe Dæmons, Phantaſms, or Spirits of Illuſion, ſignify allegorically the ſame thing. This conſidered, the Kingdom of Darkneſs, as it is ſet forth in theſe and other Places of the Scripture, is nothing elſe but a *Confederacy of Deceivers, that to obtain Dominion over Men in this preſent World, endeavour by dark and erroneous Doctrines, to extinguiſh in them the Light, both of Nature, and of the Goſpel; and ſo to diſprepare them for the Kingdom of God to come.*

* Eph. vi. 12.
† Mat. xii. 26.
‡ Mat ix. 34.
§ Epo. ii. 2.
|| Joh. xvi. 11.

The Church not yet fully freed of Darkneſs.

As Men that are utterly deprived from their Nativity of the Light of the bodily Eye, have no Idea at all of any ſuch Light; and no Man conceives in his Imagination any greater Light, than he hath at ſome time, or other, perceived by his outward Senſes: So alſo is it of the Goſpel, and of the Light of the Underſtanding, that no Man can conceive there is any greater Degree of it, than that which he hath already attained unto. And from hence it comes to paſs, that Men have no other Means to acknowledge their own Darkneſs, but only by reaſoning from the unforeſeen Miſchances that befal them in their Ways. The darkeſt part of the Kingdom of Satan, is that which is without the Church of God; that is to ſay, amongſt them that believe not in Jeſus Chriſt. But we cannot ſay, that therefore the Church enjoyeth (as the Land of *Goſhen*) all the Light, which to the Performance of the Work enjoined us by God, is neceſſary. Whence comes it, that in *Chriſtendom* there has been, almoſt from the Time of the Apoſtles, ſuch Juſtling of one another out of their Places, both by foreign and civil War? ſuch ſtumbling at every little Aſperity of their own Fortune, and every little Eminence of that of other Men? and ſuch Diverſity of Ways in running to the ſame Mark, *Felicity*, if it be not Night amongſt us, or at leaſt a Miſt? We are therefore yet in the Dark.

Four Cauſes of ſpiritual Darkneſs.

The Enemy has been here in the Night of our natural Ignorance, and ſown the Tares of ſpiritual Errors; and that, firſt, by abuſing, and putting out the Light of the Scriptures: for we err, not knowing the Scriptures. Secondly, by introducing the Dæmonology of the Heathen Poets, that is to ſay, their fabulous Doctrine concerning Dæmons, which are but Idols, or Phantaſms of the Brain, without any real Nature of their own, diſtinct from human Fancy; ſuch as are dead Men's Ghoſts, and Fairies, and other Matter of old Wives Tales. Thirdly, by mixing with the Scripture divers Relics of the Religion, and much of the vain and erroneous Philoſophy of the *Greeks*, eſpecially of *Ariſtotle*. Fourthly, by mingling with both theſe, falſe or uncertain Traditions, and feigned or uncertain Hiſtory. And ſo we come to err, by *giving heed to ſeducing Spirits*, and the Dæmonology of ſuch *as ſpeak Lies in Hypocriſy*, (or as it is in the Original, 1 *Tim.* iv. 1, 2. *of thoſe that play the Part of Liars) with a ſeared Conſcience*, that is, contrary to their own Knowledge. Concerning the firſt of theſe, which is the Seducing of Men by Abuſe of Scripture, I intend to ſpeak briefly in this Chapter.

Errors from miſinterpreting the Scriptures concerning the Kingdom of God.

The greateſt and main Abuſe of Scripture, and to which almoſt all the reſt are either conſequent, or ſubſervient, is the wreſting of it, to prove that the Kingdom of God, mentioned ſo often in the Scripture, is the preſent Church, or Multitude of Chriſtian Men now living, or that being dead, are to riſe again at the laſt Day: whereas the Kingdom of God was firſt inſtituted by the Miniſtry of *Moſes*, over the *Jews* only; who were therefore called his peculiar People; and ceaſed afterward, in the Election of *Saul*, when they refuſed to be governed by God any more, and demanded a King after the Manner of the Nations; which God himſelf conſented unto, as I have more at large proved before, in Chap. XXXV. After that Time, there was no other Kingdom of God in the World, by any Pact, or otherwiſe, than he ever was, is, and ſhall be King, of all Men, and all Creatures, as governing according to his Will, by his infinite Power. Nevertheleſs, he promiſed by his Prophets to reſtore this his Government to them again, when the Time he hath in his ſecret Counſel appointed for it ſhall be fully come, and when they ſhall turn unto him by Repentance, and Amendment of Life: and not only ſo, but he invited alſo the *Gentiles* to come in, and enjoy the Happineſs of his Reign, on the ſame Conditions of Converſion and Repentance; and he promiſed alſo to ſend his Son into the World, to expiate the Sins of them all by his Death, and to prepare them by his Doctrine, to receive him at his ſecond Coming: Which ſecond Coming not yet being, the Kingdom of God is not yet come, and we are not now under any other Kings by Pact, but our Civil Sovereigns; ſaving only, that Chriſtian Men are already in the Kingdom of Grace, inaſmuch as they have already the Promiſe of being received at his coming again.

As that the Kingdom of God is the preſent Church:

Conſequent to this Error, that the preſent Church is *Chriſt*'s Kingdom, there ought to be ſome one Man, or Aſſembly, by whoſe Mouth our Saviour (now in Heaven) ſpeaketh, giving Law, and which repreſenteth his Perſon to all Chriſtians, or divers Men, or divers Aſſemblies that do the ſame to divers Parts of Chriſtendom. This Power Regal under *Chriſt*, being challenged, univerſally by the Pope, and in particular Commonwealths by Aſſemblies of the Paſtors of the Place, (when the Scripture gives it to none but to Civil Sovereigns) comes to be ſo paſſionately diſputed, that it putteth out the Light of Nature, and cauſeth ſo great a Darkneſs in Men's Underſtanding, that they ſee not who it is to whom they have engaged their Obedience.

And that the Pope is his Vicar-general:

Conſequent to this Claim of the Pope to Vicar-general of *Chriſt* in the preſent Church, (ſuppoſed to be that Kingdom of his, to which we are addreſſed in the Goſpel) is the Doctrine, that it is neceſſary for a Chriſtian King, to receive his Crown by a Biſhop; as if it were from that Ceremony, that he derives the Clauſe of *Dei gratiâ* in his Title; and that then only he is made King by the Favour of God, when he is crowned by the Authority of God's univerſal Vicegerent on Earth; and that every Biſhop, whoſoever be his Sovereign, taketh at his Conſecration an Oath of abſolute Obedience to the Pope. Conſequent to the ſame, is the Doctrine of the fourth Council of *Lateran*, held under Pope *Innocent* III. (Chap. III. *de Hæreticis) That if a King, at the Pope's Admonition, do not purge his Kingdom of Hereſies, and being excommunicate for the ſame, do not give Satisfaction within a Year, his Subjects are abſolved of the Bond of their Obedience.* Where, by Hereſies, are underſtood all Opinions which the Church of *Rome* hath forbidden to be maintained. And by this means, as often as there is any Repugnancy between the political Deſigns of the Pope, and other Chriſtian Princes, as there is very often, there ariſeth ſuch a Miſt amongſt their Subjects, that they know not a Stranger that thruſteth himſelf into the Throne of their lawful Prince, from him whom they had themſelves placed there; and in this Darkneſs of Mind, are made to fight one againſt another, without diſcerning their Enemies from their Friends, under the Conduct of another Man's Ambition.

And that the Paſtors are the Clergy.

From the ſame Opinion, that the preſent Church is the Kingdom of God, it proceeds, that Paſtors, Deacons, and all other Miniſters of the Church, take the Name to themſelves of the *Clergy*; giving to the other Chriſtians the Name of *Laity*, that is, ſimply, *People*. For Clergy ſignifies thoſe, whoſe Maintenance is that Revenue, which God having reſerved to himſelf during his Reign over the *Iſraelites*, aſſigned to the Tribe of *Levi* (who were to be his public Miniſters, and had no Portion of Land ſet them out to live on, as their Brethren) to be their Inheritance. The Pope therefore (pretending the preſent Church to be, as the Realm of *Iſrael*, the Kingdom of God) challenging to himſelf and his ſubordinate Miniſters, the like Revenue, as the Inheritance of God, the Name of Clergy was ſuitable to that Claim. And thence it is, that Tithes, and other Tributes paid to the *Levites*, as God's Right, amongſt the *Iſraelites*, have a long time been demanded, and taken of Chriſtians, by Eccleſiaſtics, *Jure Divino*, that is, in God's Right. By which means, the People every where were obliged to a double Tribute; one to the State, another to the Clergy; whereof, that to the Clergy, being the Tenth of their Revenue, is double to that which a King of *Athens* (and eſteemed a Tyrant) exacted of his Subjects for the defraying of all public Charges: For he demanded no more but the twentieth Part; and yet abundantly maintained therewith the Commonwealth. And in the Kingdom of the *Jews*, during the ſacerdotal Reign of God, the Tithes and Offerings were the whole public Revenue.

From the ſame miſtaking of the preſent Church for the Kingdom of God, came in the Diſtinction between the *Civil* and the *Canon* Laws: The Civil Law being the Acts of *Sovereigns* in their own Dominions, and the Canon Law being the Acts of the *Pope* in the ſame Dominions. Which Canons, though they were but Canons, that is, *Rules propounded*, and but voluntarily received by Chriſtian Princes, till the Tranſlation of the Empire to *Charlemaign*; yet afterwards, as the Power of the Pope increaſed, became *Rules commanded*, and the Emperors themſelves (to avoid greater Miſchiefs, which the People blinded might be led into) were forced to let them paſs for Laws.

From hence it is, that in all Dominions, where the Pope's Eccleſiaſtical Power is intirely received, *Jews*, *Turks*, and *Gentiles*, are in the *Roman* Church tolerated in their Religion, as far forth, as in the Exerciſe and Profeſſion thereof they offend not againſt the Civil Power: whereas in a Chriſtian, tho' a Stranger, not to be of the *Roman* Religion, is capital; becauſe the Pope pretendeth that all Chriſtians are his Subjects. For otherwiſe, it were as much againſt the Law of Nations, to perſecute a Chriſtian Stranger for profeſſing the Religon of his own Country, as an Infidel; or rather more, inaſmuch as they that are not againſt Chriſt are with him.

From the ſame it is, that in every Chriſtian State there are certain Men, that are exempt by Eccleſiaſtical Liberty, from the Tributes and from the Tribunals of the Civil State; for ſo are the ſecular Clergy, beſides Monks and Friars, which in many Places bear ſo great a Proportion to the common People, as if need were, there might be raiſed out of them alone, an Army, ſufficient for any War the Church militant ſhould employ them in, againſt their own, or other Princes.

Error from miſtaking Conſecration for Conjuration.

A ſecond general Abuſe of Scripture, is the turning of Conſecration into Conjuration, or Enchantment. To *Conſecrate*, is in Scripture, to offer, give, or dedicate, in pious and decent Language and Geſture, a Man, or any other thing, to God, by ſeparating it from common Uſe; that is to ſay, to ſanctify, or make it God's, and to be uſed only by thoſe, whom God hath appointed to be his public Miniſters (as I have already proved at large in Chap. XXXV.) and thereby to change, not the Thing conſecrated, but only the Uſe of it, from being profane and common, to be holy, and peculiar to God's Service. But when by ſuch Words, the Nature or Quality of the Thing itſelf is pretended to be changed, it is not Conſecration, but either an extraordinary Work of God, or a vain and impious Conjuration. But ſeeing (for the Frequency of pretending the Change of Nature in their Conſecrations) it cannot be eſteemed a Work extraordinary, it is no other than a *Conjuration* or *Incantation*, whereby they would have Men to believe an Alteration of Nature that is not, contrary to the Teſtimony of Man's Sight, and of all the reſt of his Senſes. As for Example, when the Prieſt, inſtead of conſecrating the Bread and Wine to God's peculiar Service in the Sacrament of the Lord's Supper, (which is but a Separation of it from the common Uſe, to ſignify, that is, to put Men in Mind of their Redemption, by the Paſſion of Chriſt, whoſe Body was broken, and Blood ſhed upon the Croſs for our Tranſgreſſions) pretends, that by ſaying of the Words of our Saviour, *This is my Body*, and *This is my Blood*, the Nature of Bread is no more there, but his very Body; notwithſtanding there appeareth not to the Sight, or other Senſe of the Receiver, any thing that appeared not before the Conſecration. The *Egyptian* Conjurers, that are ſaid to have turned their Rods to Serpents, and the Water into Blood, are thought but to have deluded the Senſes of the Spectators by a falſe Shew of Things, yet are eſteemed Enchanters: But what ſhould we have thought of them, if there had appeared in their Rods nothing like a Serpent, and in the Water enchanted, nothing like Blood, nor like any thing elſe but Water, but that they had faced down the King, that they were Serpents that looked like Rods, and that it was Blood that ſeemed Water? That had been both Enchantment, and Lying. And yet in this daily Act of the Prieſt, they do the very ſame, by turning the holy Words into the Manner of a Charm, which produceth nothing new to the Senſe; but they face us down, that it hath turned the Bread into a Man; nay more, into a God; and require Men to worſhip it, as if it were our Saviour himſelf preſent God and Man, and thereby to commit moſt groſs Idolatry. For if it be enough to excuſe it of Idolatry, to ſay it is no more Bread, but God; why ſhould not the ſame Excuſe ſerve the *Egyptians*, in caſe they had the Faces to ſay, the Leeks and Onions they worſhipped, were not very Leeks and Onions, but a Divinity under their *Species*, or Likeneſs. The Words, *This is my Body*, are equivalent to theſe, *This ſignifies, or repreſents my Body*; and it is an ordinary Figure of Speech: but to take it literally, is an Abuſe; nor though ſo taken, can it extend any further, than to the Bread which Chriſt himſelf with his own Hands conſecrated. For he never ſaid, that of what Bread ſoever, any Prieſt whatſoever ſhould ſay, *This is my Body*, or, *This is Chriſt's Body*, the ſame ſhould preſently be tranſubſtantiated. Nor did the Church of *Rome* ever eſtabliſh this Tranſubſtantiation, till the Time of *Innocent* the third; which was not above 500 Years ago, when the Power of Popes was at the higheſt, and the Darkneſs of the Time grown ſo great, as Men diſcerned not the Bread that was given them to eat, eſpecially when it was ſtamped with the Figure of Chriſt upon the Croſs, as if they would have Men believe it were tranſubſtantiated, not only into the Body of Chriſt, but alſo into the Wood of the Croſs, and that they did eat both together in the Sacrament.

Incantation in the Ceremonies of Baptiſm.

The like Incantation, inſtead of Conſecration, is uſed alſo in the Sacrament of Baptiſm: Where the Abuſe of God's Name in each ſeveral Perſon, and in the whole Trinity, with the Sign of the Croſs at each Name, maketh up the Charm: As firſt, when they make the holy Water, the Prieſt ſaith, *I conjure thee, thou Creature of Water, in the Name of God the Father Almighty, and in the Name of Jeſus Chriſt his only Son our Lord, and in Virtue of the Holy Ghoſt, that thou become conjured Water, to drive away all the Powers of the Enemy, and to eradicate and ſupplant the Enemy, &c.* And the ſame in the Benediction of the Salt to be mingled with it; *That thou become conjured Salt, that all Phantaſms and Knavery of the Devil's Fraud may fly and depart from the Place wherein thou art ſprinkled; and every unclean Spirit be conjured by him that ſhall come to judge the Quick and the Dead.* The ſame in the Benediction of the Oil, *That all the Power of the Enemy, all the Hoſt of the Devil, all Aſſaults and Phantaſms of Satan, may be driven away by this Creature of Oil.* And for the Infant that is to be baptized, he is ſubject to many Charms: Firſt, at the Church Door the Prieſt blows thrice in the Child's Face, and ſays, *Go out of him, unclean Spirit, and give place to the Holy Ghoſt the Comforter.* As if all Children, till blown on by the Prieſt, were Dæmoniacs: Again, before his Entrance into the Church, he ſaith as before, *I conjure thee, &c. to go out, and depart from this Servant of God:* And again the ſame Exorciſm is repeated once more before he be baptized. Theſe, and ſome other Incantations, are thoſe that are uſed inſtead of Benedictions and Conſecrations in Adminiſtration of the Sacraments of Baptiſm, and the Lord's Supper; wherein every thing that ſerveth to thoſe holy Uſes, (except the unhallowed Spittle of the Prieſt) hath ſome ſet Form of Exorciſm.

And in Marriage, in Viſitation of the Sick, and in Conſecration of Places.

Nor are the other Rites, as of Marriage, Extreme Unction, of Viſitation of the Sick, of conſecrating Churches and Church-yards, and the like, exempt from Charms; inaſmuch as there is in them the Uſe of enchanted Oil and Water, with the Abuſe of the Croſs, and of the holy Word of *David*, *Aſperges me Domine Hyſſopo*, as Things of Efficacy to drive away Phantaſms, and imaginary Spirits.

Errors from miſtaking eternal Life, and everlaſting Death:

Another general Error, is from the Miſinterpretation of the Words *eternal Life*, *everlaſting Death*, and the *ſecond Death*. For though we read plainly in holy Scripture, that God created *Adam* in an Eſtate of living for ever, which was conditional, that is to ſay, if he diſobeyed not his Commandment; which was not eſſential to human Nature, but conſequent to the Virtue of the Tree of Life, whereof he had Liberty to eat, as long as he had not ſinned; and that he was thruſt out of Paradiſe after he had ſinned, leſt he ſhould eat thereof and live for ever; and that Chriſt's Paſſion is a Diſcharge of Sin to all that believe on him; and by Conſequence, a Reſtitution of eternal Life to all the Faithful, and to them only: yet the Doctrine is now, and hath been a long Time far otherwiſe; namely, that every Man hath Eternity of Life by Nature, inaſmuch as his Soul is immortal: So that the flaming Sword at the Entrance of Paradiſe, though it hinder a Man from coming to the Tree of Life, hinders him not from the Immortality which God took from him for his Sin; nor makes him to need the ſacrificing of Chriſt, for the recovering of the ſame; and conſequently, not only the Faithful and Righteous, but the Wicked and the Heathen, ſhall enjoy eternal Life, without any Death at all; much leſs a ſecond, and everlaſting Death. To ſalve this, it is ſaid, that by *ſecond*, and *everlaſting Death*, is meant a ſecond, and everlaſting Life, but in Torments; a Figure never uſed, but in this very Caſe.

All which Doctrine is founded only on ſome of the obſcurer Places of the New Teſtament; which nevertheleſs, the whole Scope of the Scripture conſidered, are clear enough in a different Senſe, and unneceſſary to the Chriſtian Faith. For ſuppoſing that when a Man dies, there remaineth nothing of him but his Carcaſe; cannot God that raiſed inanimated Duſt and Clay into a living Creature by his Word, as eaſily raiſe a dead Carcaſe to Life again, and continue him alive for ever, or make him die again, by another Word? The *Soul* in Scripture, ſignifieth always, either the Life, or the living Creature; and the Body and Soul jointly, the *Body alive*. In the fifth Day of the Creation, God ſaid, Let the Waters produce *Reptile Animæ viventis*, the creeping Thing that hath in it a living Soul; the *Engliſh* tranſlate it, *that hath Life:* And again, God created Whales, *& omnem Animam viventem*; which in the *Engliſh* is, *every living Creature:* And likewiſe of Man, God made him of the Duſt of the Earth, and breathed in his Face the Breath of Life, *& factus eſt Homo in Animam viventem*, that is, *and Man was made a living Creature:* And after *Noah* came out of the Ark, God ſaith, he will no more ſmite *omnem Animam viventem*, that is, *every living Creature:* And *Deut.* xii. 23. *Eat not the Blood, for the Blood is the Soul*; that is, *the Life.* From which Places, if by *Soul* were meant a *Subſtance incorporeal*, with an Exiſtence ſeparated from the Body, it might as well be inferred of any other living Creature, as of Man. But that the Souls of the Faithful are not of their own Nature, but by God's ſpecial Grace, to remain in their Bodies from the Reſurrection to all Eternity, I have already I think ſufficiently proved out of the Scriptures, in the XXXVIIIth Chapter. And for the Places of the New Teſtament, where it is ſaid that any Man ſhall be caſt Body and Soul into Hell Fire, it is no more than Body and Life; that is to ſay, they ſhall be caſt alive into the perpetual Fire of *Gehenna.*

As the Doctrine of Purgatory, and Exorciſms, and Invocation of Saints.

This Window it is, that gives Entrance to the dark Doctrine, firſt, of eternal Torments; and afterwards of Purgatory, and conſequently of the walking abroad, eſpecially in Places conſecrated, ſolitary, or dark, of the Ghoſts of Men deceaſed; and thereby to the Pretences of Exorciſm and Conjuration of Phantaſms; as alſo of Invocation of Men dead; and to the Doctrine of Indulgences; that is to ſay, of Exemption for a Time, or for ever, from the Fire of Purgatory, wherein theſe incorporeal Subſtances are pretended by burning to be cleanſed, and made fit for Heaven. For Men being generally poſſeſſed before the Time of our Saviour, by Contagion of the Dæmonology of the *Greeks*, of an Opinion, that the Souls of Men were Subſtances diſtinct from their Bodies, and therefore that when the Body was dead, the Soul of every Man, whether godly or wicked, muſt ſubſiſt ſomewhere, by Virtue of its own Nature, without acknowledging therein any ſupernatural Gift of God's; the Doctors of the Church doubted a long Time, what was the Place which they were to abide in, till they ſhould be reunited to their Bodies in the Reſurrection; ſuppoſing for a while, they lay under the Altars; but afterward the Church of *Rome* found it more profitable, to build for them this Place of Purgatory; which by ſome other Churches in this latter Age, has been demoliſhed.

The Texts alledged for the Doctrines afore-mentioned have been anſwered before.

Let us now conſider, what Texts of Scripture ſeem moſt to confirm theſe three general Errors, I have here touched. As for thoſe which Cardinal *Bellarmine* hath alledged, for the preſent Kingdom of God adminſter'd by the Pope (than which there are none that make a better Shew of Proof) I have already anſwered them; and made it evident, that the Kingdom of God, inſtituted by *Moſes*, ended in the Election of *Saul:* After which Time the Prieſt of his own Authority never depoſed any King. That which the High Prieſt did to *Athaliah*, was not done in his own Right, but in the Right of the young King *Joaſh* her Son: But *Solomon* in his own Right depoſed the High Prieſt *Abiathar*, and ſet up another in his Place. The moſt difficult place to anſwer, of all thoſe that can be brought, to prove the Kingdom of God by *Chriſt* is already in this World, is alledged, not by *Bellarmine*, nor any other of the Church of *Rome*, but by *Beza*; that will have it to begin from the Reſurrection of *Chriſt*. But whether he intend thereby, to entitle the Preſbytery to the ſupreme Power eccleſiaſtical in the Commonwealth of *Geneva*, (and conſequently to every Preſbytery in every other Commonwealth) to Princes, and other Civil Sovereigns, I do not know. For the Preſbytery hath challenged the Power to excommunicate their own Kings, and to be the ſupreme Moderators in Religion, in the Places where they have that Form of Church Government, no leſs than the Pope challengeth it univerſally.

Anſwer to the Text on which Beza inferreth that the Kingdom of Chriſt began at the Reſurrection.

The Words are, *Mark* ix. 1. *Verily I ſay unto you, that there be ſome of them that ſtand here, which ſhall not taſte of Death, till they have ſeen the Kingdom of God come with Power*. Which Words, if taken grammatically, make it certain, that either ſome of thoſe Men that ſtood by *Chriſt* at that Time, are yet alive; or elſe, that the Kingdom of God muſt be now in this preſent World. And then there is another Place more difficult: For when the Apoſtles, after our Saviour's Reſurrection, and immediately before his Aſcenſion, aſked our Saviour, ſaying, *Acts* i. 6. *Wilt thou at this Time reſtore again the Kingdom to Iſrael*, he anſwered them, *It is not for you to know the Times and the Seaſons, which the Father hath put in his own Power; but ye ſhall receive Power by the Coming of the Holy Ghoſt upon you, and ye ſhall be my* [*Martyrs*] *Witneſſes, both in Jeruſalem, and in all Judea, and in Samaria, and unto the uttermoſt Part of the Earth:* Which is as much as to ſay, My Kingdom is not yet come, nor ſhall you foreknow when it ſhall come; for it ſhall come as a Thief in the Night; but I will ſend you the Holy Ghoſt, and by him you ſhall have Power to bear Witneſs to all the World (by your Preaching) of my Reſurrection, and the Works I have done, and the Doctrine I have taught, that they may believe in me, and expect eternal Life, at my Coming again: How does this agree with the Coming of *Chriſt*'s Kingdom at the Reſurrection? And that which St. *Paul* ſays, 1 *Theſſal.* i. 9, 10. *That they turned from Idols, to ſerve the living and true God, and to wait for his Son from Heaven*; where to wait for his Son from Heaven, is to wait for his coming to be King in Power; which were not neceſſary, if his Kingdom had been then preſent. Again, if the Kingdom of God began (as *Beza* on that Place, *Mark* ix. 1. would have it) at the Reſurrection, what Reaſon is there for Chriſtians ever ſince the Reſurrection to ſay in their Prayers, *Let thy Kingdom come?* It is therefore manifeſt, that the Words of St. *Mark* are not ſo to be interpreted. There be ſome of them that ſtand here, ſaith our Saviour, that ſhall not taſte of Death till they have ſeen the Kingdom of God come in Power. If then this Kingdom were to come at the Reſurrection of *Chriſt*, why is it ſaid, *ſome of them*, rather than *all?* For they all lived till after *Chriſt* was riſen.

Explication of the Place in Mark ix. 1.

But they that require an exact Interpretation of this Text, let them interpret firſt the like Words of our Saviour to St. *Peter*, concerning St. *John*, Chap. xxi. 22. *If I will that he tarry till I come, what is that to thee?* upon which was grounded a Report that he ſhould not die: Nevertheleſs the Truth of that Report was neither confirmed, as well grounded; nor refuted, as ill grounded on thoſe Words; but left as a Saying not underſtood. The ſame Difficulty is alſo in the Place of St. *Mark*. And if it be lawful to conjecture at their Meaning, by that which immediately follows. both here, and in St. *Luke*, where the ſame is again repeated, it is not unprobable, to ſay they have relation to the Transfiguration, which is deſcribed in the Verſes immediately following; where it is ſaid, that *After ſix Days Jeſus taketh with him Peter, and James, and John* (not all, but ſome of his Diſciples *and leadeth them up into an high Mountain apart by themſelves, and was tranſfigured before them. And his Raiment became ſhining, exceeding white as Snow; ſo as no Fuller on Earth can white them. And there appeared unto them Elias with Moſes, and they were talking with Jeſus*, &c. So that they ſaw Chriſt in Glory and Majeſty, as he is to come; inſomuch as *They were ſore afraid*. And thus the Promiſe of our Saviour was accompliſhed by way of *Viſion*: For it was a Viſion, as may probably be inferred out of St. *Luke*, that reciteth the ſame Story, Chap. ix. 28. and ſaith, that *Peter* and they that were with him, were heavy with Sleep: But moſt certainly out of *Matth.* xvii. 9. where the ſame is again related; for our Saviour charged them, ſaying, *Tell no Man the Viſion, until the Son of Man be riſen from the Dead*. Howſoever it be, yet there can from thence be taken no Argument, to prove that the Kingdom of God taketh Beginning till the Day of Judgment.

Abuſe of ſome other Texts in Defence of the Power of the Pope.

As for ſome other Texts, to prove the Pope's Power over Civil Sovereigns, beſides thoſe of *Bellarmine*; as that the two Swords that *Chriſt* and his Apoſtles had amongſt them, were the Spiritual and the Temporal Sword, which they ſay St. *Peter* had given him by *Chriſt*; and that of the two Luminaries, the greater ſignifies the Pope, and the leſſer the King; one might as well infer out of the firſt Verſe of the Bible, that by Heaven is meant the Pope, and by Earth the King: which is not arguing from Scripture, but a wanton inſulting over Princes, that came in Faſhion after the Time the Popes were grown ſo ſecure of their Greatneſs, as to contemn all Chriſtian Kings; and treading on the Necks of Emperors, to mock both them, and the Scripture, in the Words of *Pſalm* xci. *Thou ſhalt tread upon the Lion and the Adder, the young Lion and the Dragon thou ſhalt trample under thy Feet*.

The Manner of Conſecrations in the Scripture, was without Exorciſms.

As for the Rites of Conſecration, though they depend for the moſt Part upon the Diſcretion and Judgment of the Governors of the Church, and not upon the Scriptures; yet thoſe Governors are obliged to ſuch Direction, as the Nature of the Action itſelf requireth; as that the Ceremonies, Words and Geſtures, be both decent and ſignificant, or at leaſt conformable to the Action. When *Moſes* conſecrated the Tabernacle, the Altar, and the Veſſels belonging to them, ***Exod.*** xl. he anointed them with the Oil which God had commanded to be made for that Purpoſe; and they were holy: There was nothing exorcized, to drive away Phantaſms. The ſame *Moſes*, (the Civil Sovereign of *Iſrael)* when he conſecrated *Aaron* (the High Prieſt) and his Sons, did waſh them with Water, (not exorcized Water) put their Garments upon them, and anointed them with Oil; and they were ſanctified, to miniſter unto the Lord in the Prieſts Office; which was a ſimple and decent cleanſing and adorning them, before he preſented them to God to be his Servants. When King *Solomon* (the Civil Sovereign of *Iſrael)* conſecrated the Temple he had built, 2 *Kings* viii. he ſtood before all the Congregation of *Iſrael*; and having bleſſed them, he gave Thanks to God, for putting into the Heart of his Father to build it; and for giving to himſelf the Grace to accompliſh the ſame; and then prayed unto him, firſt to accept that Houſe, though it were not ſuitable to his infinite Greatneſs; and to hear the Prayers of his Servants that ſhould pray therein, or (if they were abſent) towards it; and laſtly, he offered a Sacrifice of Peace-offering, and the Houſe was dedicated. Here was no Proceſſion; the King ſtood ſtill in his firſt Place; no exorciſed Water; no *Aſperges me*, nor other impertinent Application of Words ſpoken upon another Occaſion; but a decent and rational Speech, and ſuch as in making to God a Preſent of his new-built Houſe, was moſt conformable to the Occaſion.

We read not that St. *John* did exorcize the Water of *Jordan*; nor *Philip* the Water of the River wherein he baptized the Eunuch; nor that any Paſtor in the Time of the Apoſtles, did take his Spittle, and put it to the Noſe of the Perſon to be baptized, and ſay, *in Odorem ſuavitatis*, that is, *for a ſweet Savour unto the Lord*, wherein neither the Ceremony of Spittle, for the Uncleanneſs, nor the Application of that Scripture for the Levity, can by any Authority of Man be juſtified.

The Immortality of Man's Soul, not proved by Scripture to be of Nature, but of Grace.

To prove that the Soul ſeparated from the Body, liveth eternally, not only the Souls of the Elect, by eſpecial Grace, and Reſtoration of the eternal Life which *Adam* loſt by Sin, and our Saviour reſtored by the Sacrifice of himſelf, to the Faithful; but alſo the Souls of Reprobates, as a Property naturally conſequent to the Eſſence of Mankind, without other Grace of God, but that which is univerſally given to all Mankind; there are divers Places, which at the firſt Sight ſeem ſufficiently to ſerve the Turn: but ſuch, as when I compare them with that which I have before, Chap. xxxviii. alledged out of *Job* xiv. ſeem to me much more ſubject to a diverſe Interpretation, than the Words of *Job*.

And firſt there are the Words of *Solomon*, *Eccleſ.* xii. 7. *Then ſhall the Duſt return to Duſt, as it was, and the Spirit ſhall return to God that gave it.* Which may bear well enough (if there be no other Text directly againſt it) this Interpretation, that God only knows (but Man not) what becomes of a Man's Spirit when he expireth; and the ſame *Solomon*, in the ſame Book, Chap. iii. 20, 21. delivereth the ſame Sentence in the Senſe I have given it: His Words are, *All go* (Man and Beaſt) *to the ſame Place; all are of the Duſt, and all turn to Duſt again; who knoweth that the Spirit of Man goeth upward, and that the Spirit of the Beaſt goeth downward to the Earth?* That is, none knows but God; nor is it an unuſual Phraſe to ſay of Things we underſtand not, *God knows what*, and

God knows where. That of *Gen.* v. 24. *Enoch walked with God, and he was not; for God took him*; which is expounded, *Heb.* xiii. 5. *He was tranſlated, that he ſhould not die; and was not found, becauſe God had tranſlated him: For before his Tranſlation he had this Teſtimony, that he pleaſed God*, making as much for the Immortality of the Body, as of the Soul, proveth, that this Tranſlation was peculiar to them that pleaſe God; not common to them with the wicked; and depending on Grace, not on Nature. But on the contrary, what Interpretation ſhall we give, beſides the literal Senſe of the Words of *Solomon*, *Eccleſ.* iii. 19. *That which befalleth the Sons of Men, befalleth Beaſts, even one Thing befalleth them; as the one dieth, ſo doth the other; yea, they have all one Breath* (one Spirit;) *ſo that a Man hath no Pre-eminence above a Beaſt, for all is Vanity.* By the literal Senſe, here is no natural Immortality of the Soul; nor yet any Repugnancy with the Life eternal, which the Elect ſhall enjoy by Grace. And, Chap. iv. 3. *Better is he that hath not yet been, than both they*; that is, than they that live, or have lived; which, if the Soul of all them that have lived were immortal, were a hard Saying; for then to have an immortal Soul, were worſe than to have no Soul at all. And again, Chap. ix. 5. *The living know they ſhall die, but the dead know not any Thing*; that is, naturally, and before the Reſurrection of the Body.

Another Place which ſeems to make for a natural Immortality of the Soul, is that, where our Saviour ſaith, that *Abraham*, *Iſaac*, and *Jacob* are living: but this is ſpoken of the Promiſe of God, and of their Certitude to riſe again, not of a Life then actual; and in the ſame Senſe that God ſaid to *Adam*, that on the Day he ſhould eat of the forbidden Fruit, he ſhould certainly die; and from that time forward he was a dead Man by Sentence; but not by Execution, till almoſt a thouſand Years after. So *Abraham*, *Iſaac*, and *Jacob* were alive by Promiſe, then, when Chriſt ſpake; but are not actually till the Reſurrection. And the Hiſtory of *Dives* and *Lazarus*, make nothing againſt this, if we take it (as it is) for a Parable.

But there be other Places of the New Teſtament, where an Immortality ſeemeth to be directly attributed to the Wicked. For it is evident, that they ſhall all riſe to Judgment. And it is ſaid beſides in many Places, that they ſhall go into *everlaſting Fire*, *everlaſting Torments*, *everlaſting Puniſhments*; *and that the Worm of Conſcience never dieth*; and all this is comprehended in the Word *everlaſting Death*, which is ordinarily interpreted *everlaſting Life in Torments*: and yet I can find no where that any Man ſhall live in Torments everlaſtingly. Alſo, it ſeemeth hard to ſay, that God, who is the Father of Mercies, that doth in Heaven and Earth all that he will; that hath the Hearts of all Men in his diſpoſing; that worketh in Men both to do and to will; and without whoſe free Gift a Man hath neither Inclination to Good, nor Repentance of Evil, ſhould puniſh Men's Tranſgreſſions without any End of Time, and with all the Extremity of Torture, that Men can imagine, and more. We are therefore to conſider, what the Meaning is, of *everlaſting Fire*, and other the like Phraſes of Scripture.

I have ſhewed already, that the Kingdom of God by Chriſt beginneth at the Day of Judgment: that in that Day, the Faithful ſhall riſe again, with glorious and ſpiritual Bodies, and be his Subjects in that his Kingdom, which ſhall be eternal: that they ſhall neither marry, nor be given in Marriage, nor eat and drink, as they did in their natural Bodies; but live for ever in their individual Perſons, without the ſpecifical Eternity of Generation: and that the Reprobates alſo ſhall riſe again, to receive Puniſhments for their Sins: as alſo, that thoſe of the Elect, which ſhall be alive in their earthly Bodies at that Day, ſhall have their Bodies ſuddenly changed, and made ſpiritual and immortal. But that the Bodies of the Reprobate, who make the Kingdom of Satan, ſhall alſo be glorious, or ſpiritual Bodies, or that they ſhall be as the Angels of God, neither eating, nor drinking, nor engendering; or that their Life ſhall be eternal in their individual Perſons, as the Life of every faithful Man is, or as the Life of *Adam* had been if he had not ſinned, there is no Place of Scripture to prove it; ſave only theſe Places concerning eternal Torments; which may otherwiſe be interpreted.

From whence may be inferred, that as the Elect after the Reſurrection ſhall be reſtored to the Eſtate, wherein *Adam* was before he had ſinned; ſo the Reprobate ſhall be in the Eſtate, that *Adam*, and his Poſterity were in after the Sin committed; ſaving that God promiſed a Redeemer to *Adam*, and ſuch of his Seed as ſhould truſt in him and repent, but not to them that ſhould die in their Sins, as do the Reprobate.

Eternal Torments, what.

Theſe Things conſidered, the Texts that mention *eternal Fire*, *eternal Torments*, or *the Worm that never dieth*, contradict not the Doctrine of a ſecond, and everlaſting Death, in the proper and natural Senſe of the Word *Death*. The Fires, or Torments prepared for the Wicked in *Gehenna*, *Tophet*, or in what Place ſoever, may continue for ever; and there may never want wicked Men to be tormented in them; though not every, nor any one eternally. For the Wicked being left in the Eſtate they were in after *Adam*'s Sin, may at the Reſurrection live as they did, marry, and give in Marriage, and have groſs and corruptible Bodies, as all Mankind now have; and conſequently may engender perpetually, after the Reſurrection, as they did before: for there is no Place of Scripture to the contrary. For St. *Paul*, ſpeaking of the Reſurrection, 1 *Cor.* xv. underſtandeth it only of the Reſurrection to Life eternal; and not the Reſurrection to Puniſhment. And of the firſt, he ſaith that the Body is *ſown in Corruption*, *raiſed in Incorruption*; *ſown in Diſhonour*, *raiſed in Honour*; *ſown in Weakneſs*, *raiſed in Power*; *ſown a natural Body*, *raiſed a ſpiritual Body*: There is no ſuch thing can be ſaid of the Bodies of them that riſe to Puniſhment. So alſo our Saviour, when he ſpeaketh of the Nature of Man after the Reſurrection, meaneth, the Reſurrection to Life eternal, not to Puniſhment. The Text is, *Luke* xx. 34, 35, 36. a fertile Text; *The Children of this World marry, and are given in Marriage; but they that ſhall be counted worthy to obtain that World, and the Reſurrection from the Dead, neither marry, nor are given in Marriage: Neither can they die any more; for they are equal to the Angels, and are the Children of God, being the Children of the Reſurrection:* The Children of this World, that are in the Eſtate which *Adam* left them in, ſhall marry, and be given in Marriage; that is, corrupt, and generate ſucceſſively; which is an Immortality of the Kind, but not of the Perſons of Men: they are not worthy to be counted amongſt them that ſhall obtain the next World, and an abſolute Reſurrection from the Dead; but only a ſhort Time, as Inmates of that World; and to the End only to receive condign Puniſhment for their Contumacy. The Elect are the only Children of the Reſurrection; that is to ſay, the ſole Heirs of eternal Life: they only can die no more: it is they that are equal to the Angels, and that are the Children of God; and not the Reprobate. To the Reprobate there remaineth after the Reſurrection, a *ſecond*, and *eternal* Death: between which Reſurrection, and their ſecond, and eternal Death, is but a Time of Puniſhment and Torment; and to laſt by Succeſſion of Sinners thereunto, as long as the Kind of Man by Propagation ſhall endure; which is eternally.

Anſwer of the Texts alledged for Purgatory.

Upon this Doctrine of the natural Eternity of ſeparated Souls is founded (as I ſaid) the Doctrine of Purgatory. For ſuppoſing eternal

Life by Grace only, there is no Life, but the Life of the Body; and no Immortality till the Reſurrection. The Texts for Purgatory alledged by *Bellarmine* out of the Canonical Scripture of the Old Teſtament, are firſt, the Faſting of *David* for *Saul* and *Jonathan*, mentioned, 2 *Kings* i. 12. and again, 2 *Sam.* iii. 35. for the Death of *Abner*. This Faſting of *David*, he ſaith, was for the obtaining of ſomething for them at God's Hands, after their Death; becauſe after he had faſted to procure the Recovery of his own Child, as ſoon as he knew it was dead, he called for Meat. Seeing then the Soul hath an Exiſtence ſeparate from the Body, and nothing can be obtained by Men's Faſting for the Souls that are already either in Heaven or Hell, it followeth that there be ſome Souls of dead Men, that are neither in Heaven nor in Hell; and therefore they muſt be in ſome third Place, which muſt be Purgatory. And thus with hard ſtraining, he has wreſted thoſe Places to the Proof of a Purgatory: whereas it is manifeſt, that the Ceremonies of Mourning and Faſting, when they are uſed for the Death of Men, whoſe Life was not profitable to the Mourners, they are uſed for Honour's Sake to their Perſons; and when it is done for the Death of them by whoſe Life the Mourners had Benefit, it proceeds from their particular Damage: And ſo *David* honoured *Saul* and *Abner* with his Faſting; and in the Death of his own Child, recomforted himſelf, by receiving his ordinary Food.

In the other Places, which he alledgeth out of the Old Teſtament, there is not ſo much as any Shew, or Colour of Proof. He brings in every Text wherein there is the Word *Anger*, or *Fire*, or *Burning*, or *Purging*, or *Cleanſing*, in caſe any of the Fathers have but in a Sermon rhetorically applied it to the Doctrine of Purgatory, as already believed. The firſt Verſe of *Pſal.* xxxvii. *O Lord rebuke me not in thy Wrath, nor chaſten me in thy hot Diſpleaſure:* What were this to Purgatory, if *Auguſtine* had not applied the *Wrath* to the Fire of Hell, and the *Diſpleaſure* to that of Purgatory? And what is it to Purgatory, that of *Pſal.* lxvi. 12. *We went through Fire and Water, and thou broughteſt us to a moiſt Place*; and other the like Texts, (with which the Doctors of thoſe Times intended to adorn, or extend their Sermons or Commentaries) haled to their Purpoſes by Force of Wit?

Places of the New Teſtament for Purgatory, anſwered.

But he alledgeth other Places of the New Teſtament, that are not ſo eaſy to be anſwered: And firſt that of *Matt.* xii. 32. *Whoſoever ſpeaketh a Word againſt the Son of Man, it ſhall be forgiven him; but whoſoever ſpeaketh againſt the Holy Ghoſt, it ſhall not be forgiven him, neither in this World, nor in the World to come:* Where he will have Purgatory to be the World to come, wherein ſome Sins may be forgiven which in this World were not forgiven: notwithſtanding that it is manifeſt, there are but three Worlds; one from the Creation to the Flood, which was deſtroyed by Water, and is called in Scripture *the old World*; another from the Flood to the Day of Judgment, which is *the preſent World*, and ſhall be deſtroyed by Fire; and the third, which ſhall be from the Day of Judgment forward, everlaſting, which is called *the World to come*; and in which it is agreed by all, there ſhall be no Purgatory: And therefore the World to come, and Purgatory, are inconſiſtent. But what then can be the Meaning of thoſe our Saviour's Words? I confeſs they are very hardly to be reconciled with all the Doctrines now unanimouſly received: Nor is it any Shame to confeſs the Profoundneſs of the Scripture, to be too great to be ſounded by the Shortneſs of human Underſtanding. Nevertheleſs, I may propound ſuch Things to the Conſideration of more learned Divines, as the Text itſelf ſuggeſteth. And firſt, ſeeing to ſpeak againſt the Holy Ghoſt, as being the third Perſon of the Trinity, is to ſpeak againſt the Church, in which the Holy Ghoſt reſideth; it ſeemeth the Compariſon is made between the Eaſineſs of our Saviour, as bearing with Offences done to him while he himſelf taught the World, that is, when he was on Earth, and the Severity of the Paſtors after him, againſt thoſe which ſhould deny their Authority, which was from the Holy Ghoſt: As if he ſhould ſay, You that deny my Power, nay you that ſhall crucify me, ſhall be pardoned by me, as often as you turn unto me by Repentance: But if you deny the Power of them that teach you hereafter, by Virtue of the Holy Ghoſt, they ſhall be inexorable, and ſhall not forgive you, but perſecute you in this World, and leave you without Abſolution, (though you turn to me, unleſs you turn alſo to them) to the Puniſhments (as much as lies in them) of the World to come: And ſo the Words may be taken as a Prophecy, or Prediction concerning the Times, as they have all along been in the Chriſtian Church: Or if this be not the Meaning, (for I am not peremptory in ſuch difficult Places) perhaps there may be Place left after the Reſurrection for the Repentance of ſome Sinners: And there is alſo another Place, that ſeemeth to agree therewith. For conſidering the Words of St. *Paul*, 1 *Cor.* xv. 29. *What ſhall they do which are baptized for the Dead, if the Dead riſe not at all? why alſo are they baptized for the Dead?* a Man may probably infer, as ſome have done, that in St. *Paul*'s Time, there was a Cuſtom, by receiving Baptiſm for the Dead, (as Men that now believe, are Sureties and Undertakers for the Faith of Infants, that are not capable of believing) to undertake for the Perſons of their deceaſed Friends, that they ſhould be ready to obey, and receive our Saviour for their King, at his coming again; and then the Forgiveneſs of Sins in the World to come, has no need of Purgatory. But in both theſe Interpretations, there is ſo much of Paradox, that I truſt not to them; but propound them to thoſe that are thoroughly verſed in the Scripture, to enquire if there be no clearer Place that contradicts them. Only of thus much, I ſee evident Scripture to perſuade me, that there is neither the Word, nor the Thing of Purgatory, neither in this, nor any other Text; nor any thing that can prove a Neceſſity of a Place for the Soul without the Body; neither for the Soul of *Lazarus* during the four Days he was dead; nor for the Souls of them which the *Roman* Church pretend to be tormented now in Purgatory. For God, that could give Life to a Piece of Clay, hath the ſame Power to give Life again to a dead Man, and renew his inanimate and rotten Carcaſe, in a glorious, ſpiritual, and immortal Body.

Another Place is that of 1 *Cor.* iii. where it is ſaid, that they which built Stubble, Hay, &c. on the true Foundation, their Words ſhall periſh; but *they themſelves ſhall be ſaved*; *but as through Fire*: This Fire, he will have to be the Fire of Purgatory. The Words, as I have ſaid before, are an Alluſion of thoſe of *Zach.* xiii. 9. where he ſaith, *I will bring the third Part through the Fire, and refine them as Silver is refined, and will try them as Gold is tried*: which is ſpoken of the Coming of the Meſſiah in Power and Glory; that is, at the Day of Judgment, and Conflagration of the preſent World; wherein the Elect ſhall not be conſumed, but be refined; that is, depoſe their erroneous Doctrines and Traditions, and have them as it were ſinged of; and ſhall afterwards call upon the Name of the true God. In like Manner, the Apoſtle ſaith of them, that holding this Foundation *Jeſus is the Chriſt*, ſhall build thereon ſome other Doctrines that be erroneous, that they ſhall not be conſumed in that Fire which reneweth the World, but ſhall paſs through it to Salvation; but ſo, as to ſee and relinquiſh their former Errors. The Builders are the *Paſtors*; the Foundation, that *Jeſus is the Chriſt*; the

Stubble and Hay, *falſe Conſequences drawn from it through Ignorance, or Frailty*; the Gold, Silver, and precious Stones, are their *true Doctrines*; and their Refining and Purging, the *Relinquiſhing of their Errors*. In all which there is no Colour at all for the burning of incorporeal, that is to ſay, impatible Souls.

Baptiſm for the Dead, how underſtood.

A third Place is that of 1 *Cor.* xv. beforementioned, concerning Baptiſm for the Dead: out of which he concludeth, firſt, that Prayers for the Dead are not unprofitable; and out of that, that there is a Fire of Purgatory: but neither of them rightly. For of many Interpretations of the Word Baptiſm, he approveth this in the firſt Place, that by Baptiſm is meant (metaphorically) a Baptiſm of Penance; and that Men are in this Senſe baptized, when they faſt, and pray, and give Alms: And ſo Baptiſm for the Dead, and Prayer for the Dead, is the ſame Thing. But this is a Metaphor, of which there is no Example, neither in the Scripture, nor in any other Uſe of Language; and which is alſo diſcordant to the Harmony and Scope of the Scripture. The Word Baptiſm is uſed, *Mark* x. 38. and *Luke* xii. 50. for being dipped in ones own Blood, as Chriſt was upon the Croſs, and as moſt of the Apoſtles were, for giving Teſtimony of him. But it is hard to ſay, that Prayer, Faſting, and Alms, have any Similitude with Dipping. The ſame is uſed alſo, *Matt.* iii. 11. (which ſeemeth to make ſomewhat for Purgatory) for a Purging with Fire. But it is evident the Fire and Purging here mentioned, is the ſame whereof the Prophet *Zachary* ſpeaketh, Chap. xiii. 9. *I will bring the third Part through the Fire, and will refine them*, &c. And St. *Peter* after him, 1 Epiſt. i. 7. *That the Trial of our Faith, which is much more precious than of Gold that periſheth, though it be tried with Fire, might be found unto Praiſe, and Honour, and Glory, at the Appearing of Jeſus Chriſt*; And St. *Paul*, 1 Cor. iii. 13. *The Fire ſhall try every Man's Work of what Sort it is.* But St. *Peter* and St. *Paul* ſpeak of the Fire that ſhall be at the ſecond Appearing of Chriſt; and the Prophet *Zachary* of the Day of Judgment: And therefore this Place of St. *Matt.* may be interpreted of the ſame; and then there will be no Neceſſity of the Fire of Purgatory.

Another Interpretation of Baptiſm for the Dead, is that which I have before mentioned, which he preferreth to the ſecond Place of Probability: And thence alſo he inferreth the Utility of Prayer for the Dead. For if after the Reſurrection, ſuch as have not heard of Chriſt, or not believed in him, may be received into Chriſt's Kingdom; it is not in vain, after their Death, that their Friends ſhould pray for them, till they ſhould be riſen. But granting that God, at the Prayers of the Faithful, may convert unto him ſome of thoſe that have not heard Chriſt preached, and conſequently cannot have rejected Chriſt, and that the Charity of Men in that Point, cannot be blamed; yet this concludeth nothing for Purgatory, becauſe to riſe from Death to Life, is one thing; to riſe from Purgatory to Life, is another; as being a riſing from Life to Life, from a Life in Torments to a Life in Joy.

A fourth Place is that of *Matth.* v. 25. *Agree with thine Adverſary quickly, whilſt thou art in the Way with him, leſt at any Time the Adverſary deliver thee to the Judge, and the Judge deliver thee to the Officer, and thou be caſt into Priſon. Verily I ſay unto thee, thou ſhalt by no means come out thence, till thou haſt paid the uttermoſt Farthing.* In which Allegory, the Offender is the *Sinner*; both the Adverſary and the Judge is *God*; the Way, is this *Life*; the Priſon, is the *Grave*; the Officer, *Death*; from which, the Sinner ſhall not riſe again to Life eternal, but to a ſecond Death, till he have paid the utmoſt Farthing, or *Chriſt* pay it for him by his Paſſion, which is a full Ranſom for all manner of Sin, as well leſſer Sins, as greater Crimes; both being made by the Paſſion of *Chriſt* equally venial.

The fifth Place, is that of *Matth.* v. 22. *Whoſoever is angry with his Brother without a Cauſe, ſhall be guilty in Judgment: And whoſoever ſhall ſay to his Brother,* Racha, *ſhall be guilty in the Council: But whoſoever ſhall ſay, Thou Fool, ſhall be guilty to Hell Fire.* From which Words he inferreth three ſorts of Sins, and three ſorts of Puniſhments; and that none of thoſe Sins, but the laſt, ſhall be puniſhed with Hell Fire; and conſequently, that after this Life, there is Puniſhment of leſſer Sins in Purgatory. Of which Inference, there is no Colour in any Interpretation that hath yet been given of them: Shall there be a Diſtinction after this Life of Courts of Juſtice, as there was amongſt the *Jews* in our Saviour's Time, to hear, and determine divers ſorts of Crimes; as the Judges, and the Council? Shall not all Judicature appertain to *Chriſt*, and his Apoſtles? To underſtand therefore this Text, we are not to conſider it ſolitarily, but jointly with the Words precedent and ſubſequent. Our Saviour in this Chapter interpreteth the Law of *Moſes*, which the *Jews* thought was then fulfilled, when they had not tranſgreſſed the grammatical Senſe thereof, howſoever they had tranſgreſſed againſt the Sentence, or Meaning of the Legiſlator. Therefore whereas they thought the ſixth Commandment not broken, but by killing a Man; nor the ſeventh, but when a Man lay with a Woman, not his Wife; our Saviour tells them, the inward Anger of a Man againſt his Brother, if it be without juſt Cauſe, is Homicide: You have heard, ſaith he, the Law of *Moſes*, *Thou ſhalt not kill*, and that *whoſoever ſhall kill, ſhall be condemned before the Judges*, or before the Seſſion of the Seventy: But I ſay unto you, to be angry with one's Brother without Cauſe, or to ſay unto him, *Racha*, or *Fool*, is Homicide, and ſhall be puniſhed at the Day of Judgment, and Seſſion of *Chriſt*, and his Apoſtles, with Hell Fire: ſo that thoſe Words were not uſed to diſtinguiſh between divers Crimes, and divers Courts of Juſtice, and divers Puniſhments; but to tax the Diſtinction between Sin and Sin, which the *Jews* drew not from the Difference of the Will in obeying God, but from the Difference of temporal Courts of Juſtice; and to ſhew them, that he that had the Will to hurt his Brother, though the Effect appear but in reviling, or not at all, ſhall be caſt into Hell Fire, by the Judges, and by the Seſſion, which ſhall be the ſame, not different Courts at the Day of Judgment. This conſidered, what can be drawn from this Text, to maintain Purgatory, I cannot imagine.

The ſixth Place is, *Luke* xvi. 9. *Make ye Friends of the unrighteous Mammon, that when ye fail, they may receive you into everlaſting Tabernacles.* This he alledges to prove Invocation of Saints departed. But the Senſe is plain, that we ſhould make Friends with our Riches, of the Poor; and thereby obtain their Prayers whilſt they live. *He that giveth to the Poor, lendeth to the Lord.*

The ſeventh is, *Luke* xxiii. 42. *Lord remember me when thou comeſt into thy Kingdom:* Therefore, ſaith he, there is Remiſſion of Sins after this Life. But the Conſequence is not good. Our Saviour then forgave him; and at his coming again in Glory, will remember to raiſe him again to Life eternal.

The eighth is, *Acts* ii. 24. where St. *Peter* ſaith of Chriſt, *That God had raiſed him up, and looſed the Pains of Death, becauſe it was not poſſible he ſhould be holden of it:* which he interprets to be a Deſcent of Chriſt into Purgatoty, to looſe ſome Souls there from their Torments: whereas it is manifeſt, that it was Chriſt that was looſed; it was he that could

PART IV. conld not be holden of Death, or the Grave; and not the Souls in Purgatory. But if that which *Beza* ſays in his Notes on this Place be well obſerved, there is none that will not ſee, that inſtead of *Pains*, it ſhould be *Bands*; and then there is no further Cauſe to ſeek for Purgatory in this Text.

CHAP. XLV.

Of DÆMONOLOGY, *and other Relics of the Religion of the Gentiles.*

The Original of Dæmonology.

THE Impreſſion made on the Organs of Sight, by lucid Bodies, either in one direct Line, or in many Lines, reflected from Opake, or refracted in the Paſſage through diaphanous Bodies, produceth in living Creatures, in whom God hath placed ſuch Organs, an Imagination of the Object, from whence the Impreſſion proceedeth; which Imagination is called *Sight*; and ſeemeth not to be a mere Imagination, but the Body itſelf without us; in the ſame Manner, as when a Man violently preſſeth his Eye, there appears to him a Light without, and before him, which no Man perceiveth but himſelf; becauſe there is indeed no ſuch Thing without him, but only a Motion in the interior Organs, preſſing by Reſiſtance outward, that makes him think ſo. And the Motion made by this Preſſure, continuing after the Object which cauſed it is removed, is that we call *Imagination* and *Memory*, and (in Sleep, and ſometimes in great Diſtemper of the Organs by Sickneſs, or Violence) a *Dream*: of which Things I have already ſpoken briefly, in the ſecond and third Chapters.

This Nature of Sight having never been diſcovered by the ancient Pretenders to natural Knowledge; much leſs by thoſe that conſider not things ſo remote (as that Knowledge is) from their preſent Uſe; it was hard for Men to conceive of thoſe Images in the Fancy, and in the Senſe, otherwiſe, than of things really without us: which ſome (becauſe they vaniſh away, they know not whither, or how) will have to be abſolutely incorporeal, that is to ſay, immaterial, or Forms without Matter; Colour and Figure, without any coloured or figured Body; and that they can put on aiery Bodies (as a Garment) to make them viſible when they will to our bodily Eyes; and others ſay, are Bodies, or living Creatures, but made of Air, or other more ſubtile and æthereal Matter, which is, then, when they will be ſeen, condenſed. But both of them agree on one general Appellation of them, *Dæmons*. As if the Dead, of whom they dreamed, were not Inhabitants of their own Brain, but of the Air, or of Heaven, or Hell; not Phantaſms, but Ghoſts; with juſt as much Reaſon, as if one was to ſay, he ſaw his own Ghoſt in a Looking-glaſs, or the Ghoſts of the Stars in a River; or call the ordinary Apparition of the Sun, of the Quantity of about a Foot, the *Dæmon*, or Ghoſt of that great Sun that enlighteneth the whole viſible World: and by that Means have feared them, as things of an unknown, that is, of an unlimited Power to do them Good, or Harm; and conſequently, given Occaſion to the Governors of the Heathen Commonwealths to regulate this their Fear, by eſtabliſhing that *Dæmonology* (in which the Poets, as principal Prieſts of the Heathen Religion, were ſpecially employed, or reverenced) to the public Peace, and to the Obedience of Subjects neceſſary thereunto; and to make ſome of them good *Dæmons*, and others evil; the one as a Spur to the Obſervance, the other, as Reins to withhold them from Violation of the Laws.

What were the Dæmons of the Ancients.

What kind of Things they were, to whom they attributed the Name of *Dæmons*, appeareth partly in the Genealogy of their Gods, written by *Heſiod*, one of the moſt ancient Poets of the *Grecians*; and partly in other Hiſtories; of which I have obſerved ſome few before, in the twelfth Chapter of this Diſcourſe.

How that Doctrine was ſpread.

How far received by the Jews.

The *Grecians*, by their Colonies and Conqueſts, communicated their Language and Writings into *Aſia*, *Egypt*, and *Italy*; and therein, by neceſſary Conſequence, their *Dæmonology*, or (as St. *Paul* calls it) *their Doctrine of Devils:* And by that Means, the Contagion was derived alſo to the *Jews*, both of *Judea* and *Alexandria*, and other Parts, whereinto they were diſperſed. But the Name of *Dæmon* they did not (as the *Grecians)* attribute to Spirits both good and evil; but to the evil only: and to the good *Dæmons* they gave the Name of the Spirit of God; and eſteemed thoſe into whoſe Bodies they entered, to be Prophets. In ſum, all Singularity, if good, they attributed to the Spirit of God; and if evil, to ſome *Dæmon*, but a κακοδάιμων, an evil *Dæmon*, that is, a *Devil*. And therefore, they called *Dæmoniacs*, that is, *poſſeſſed by the Devil*, ſuch as we call Madmen or Lunatics; or ſuch as had the Falling Sickneſs; or that ſpoke any thing, which they, for want of Underſtanding, thought abſurd: As alſo of an unclean Perſon in a notorious Degree, they uſed to ſay, he had an unclean Spirit; of a dumb Man, that he had a dumb Devil; and of *John Baptiſt*, *Mat.* xi. 18. for the Singularity of his Faſting, that he had a Devil; and of our Saviour, becauſe he ſaid, he that keepeth his Sayings ſhould not ſee Death *in æternum*, *Now we know thou haſt a Devil*; *Abraham is dead, and the Prophets are dead:* and again, becauſe he ſaid, *John* vii. 20. *They went about to kill him*, the People anſwered, *Thou haſt a Devil, who goeth about to kill thee?* whereby it is manifeſt, that the *Jews* had the ſame Opinions concerning Phantaſms, namely, that they were not Phantaſms, that is, Idols of the Brain, but Things real, and independent on the Fancy.

John viii. 52.

Why our Saviour controlled it not.

Which Doctrine, if it be not true, why (may ſome ſay) did not our Saviour contradict it, and teach the contrary? nay, why does he uſe on divers Occaſions, ſuch Forms of Speech as ſeem to confirm it? To this I anſwer, that firſt, where Chriſt ſaith, *A Spirit hath not Fleſh and Bone*, though he ſhew that there be Spirits, yet he denies not that they are Bodies: and where St. *Paul* ſays, *We ſhall riſe ſpiritual Bodies*, he acknowledgeth the Nature of Spirits, and that they are bodily Spirits; which is not difficult to underſtand. For Air and many other things are Bodies, though not Fleſh and Bone, or any other groſs Body, to be diſcerned by the Eye. But when our Saviour ſpeaketh to the Devil, and commandeth him to go out of a Man, if by the Devil be meant a Diſeaſe, as Phrenſy, or Lunacy, or a corporeal Spirit, is not the Speech improper? Can Diſeaſes hear, or can there be a corporeal Spirit, in a Body of Fleſh and Bone, full already of vital and animal Spirits? Are there not therefore Spirits, that neither have Bodies, nor are mere Imaginations? To the firſt I anſwer, that the addreſſing of our Saviour's Command to the Madneſs, or Lunacy, that he cureth, is no more improper, than was his rebuking of the Fever, or of the Wind, and Sea; for neither do theſe hear: or than was the Command of God, to the Light, to the Firmament, to the Sun, and Stars, when he commanded them to be; for they could not hear before they had a Being. But thoſe Speeches are not improper, becauſe they ſignify the Power of God's Word: no more therefore is it improper, to command Madneſs or Lunacy (under the Appellation of Devils, by which they were then commonly underſtood) to depart out of a Man's Body. To the ſecond, concerning their being incorporeal, I have not yet obſerved any Place of

Scripture,

Scripture, from whence it can be gathered, that any Man was ever poſſeſſed with any other corporeal Spirit, but that of his own, by which his Body is naturally moved.

The Scriptures do not teach that Spirits are incorporeal.

Our Saviour, immediately after the Holy Ghoſt deſcended upon him in the Form of a Dove, is ſaid by St. *Matthew*, Chap. iv. 1. to have been *led up by the Spirit into the Wilderneſs*; and the ſame is recited, *Luke* iv. 1. in theſe Words, *Jeſus being full of the Holy Ghoſt, was led in the Spirit into the Wilderneſs:* Whereby it is evident, that by *Spirit* there, is meant the Holy Ghoſt. This cannot be interpreted for a Poſſeſſion: For *Chriſt*, and the Holy Ghoſt, are but one and the ſame Subſtance; which is no Poſſeſſion of one Subſtance, or Body, by another. And whereas in the Verſes following, he is ſaid *to have been taken up by the Devil into the holy City, and ſet upon a Pinnacle of the Temple*, ſhall we conclude thence, that he was poſſeſſed of the Devil, or carried thither by Violence? And again, *carried by the Devil into an exceeding high Mountain, who ſhewed him thence all the Kingdoms of the World:* Wherein, we are not to believe, he was either poſſeſſed, or forced by the Devil; nor that any Mountain is high enough, according to the literal Senſe, to ſhew him one whole Hemiſphere. What then can be the Meaning of this Place, other than that he went of himſelf into the Wilderneſs; and that this carrying of him up and down, from the Wilderneſs to the City, and from thence into a Mountain, was a Viſion? Conformable whereunto, is alſo the Phraſe of St. *Luke*, that he was led into the Wilderneſs, not *by*, but *in* the Spirit: whereas concerning his being taken up into the Mountain, and unto the Pinnacle of the Temple, he ſpeaketh as St. *Matthew* doth. Which ſuiteth with the Nature of a Viſion.

Again, where St. *Luke* ſays of *Judas Iſcariot*, that *Satan entered into him, and thereupon that he went and communed with the Chief Prieſts, and Captains, how he might betray Chriſt unto them:* it may be anſwered, that by the Entering of *Satan* (that is, the *Enemy*) into him, is meant, the hoſtile and traiterous Intention of ſelling his Lord and Maſter. For as by the Holy Ghoſt, is frequently in Scripture underſtood, the Graces and good Inclinations given by the Holy Ghoſt; ſo by the Entering of Satan, may be underſtood the wicked Cogitations and Deſigns, of the Adverſaries of *Chriſt* and his Diſciples. For as it is hard to ſay, that the Devil was entered into *Judas*, before he had any ſuch hoſtile Deſign; ſo it is impertinent to ſay, he was firſt *Chriſt*'s Enemy in his Heart, and that the Devil entered into him afterwards. Therefore the Entering of Satan, and his wicked Purpoſe, was one and the ſame Thing.

But if there be no immaterial Spirit, nor any Poſſeſſion of Men's Bodies by any Spirit corporeal, it may again be aſked, Why our Saviour and his Apoſtles did not teach the People ſo; and in ſuch clear Words, as they might no more doubt thereof. But ſuch Queſtions as theſe, are more curious than neceſſary for a Chriſtian Man's Salvation. Men may as well aſk, Why *Chriſt*, that could have given to all Men Faith, Piety, and all manner of moral Virtues, gave it to ſome only, and not to all? and why he left the Search of natural Cauſes and Sciences, to the natural Reaſon and Induſtry of Men, and did not reveal it to all, or any Man, ſupernaturally? and many other ſuch Queſtions: of which, nevertheleſs, there may be alledged probable and pious Reaſons. For as God, when he brought the *Iſraelites* into the Land of Promiſe, did not ſecure them therein, by ſubduing all the Nations round about them; but left many of them, as Thorns in their Sides, to awaken from Time to Time their Piety and Induſtry: ſo our Saviour, in conducting us toward his heavenly Kingdom, did not deſtroy all the Difficulties of natural Queſtions, but left them to exerciſe our Induſtry and Reaſon; the Scope of his preaching, being only to ſhew us this plain and direct Way to Salvation, namely, the Belief of this Article, *That he was the Chriſt, the Son of the living God, ſent into the World to ſacrifice himſelf for our Sins, and at his coming again, gloriouſly to reign over his Elect, and to ſave them from their Enemies eternally:* To which, the Opinion of Poſſeſſion by Spirits, or Phantaſms, are no Impediment in the Way; though it be to ſome an Occaſion of going out of the Way, and to follow their own Inventions. If we require of the Scripture an Account of all Queſtions, which may be raiſed to trouble us in the Performance of God's Commands, we may as well complain of *Moſes*, for not having ſet down the Time of the Creation of ſuch Spirits, as well as of the Creation of the Earth and Sea, and of Men and Beaſts. To conclude, I find in Scripture that there be Angels and Spirits, good and evil; but not that they are incorporeal, as are the Apparitions Men ſee in the Dark, or in a Dream or Viſion; which the *Latins* call *Spectra*, and took for *Dæmons*. And I find that there are Spirits corporeal, (though ſubtile and inviſible;) but not that any Man's Body was poſſeſſed or inhabited by them; and that the Bodies of the Saints ſhall be ſuch, namely, Spiritual Bodies, as St. *Paul* calls them.

The Power of caſting out Devils, not the ſame it was in the Primitive Church.

Nevertheleſs, the contrary Doctrine, namely, that there be incorporeal Spirits, hath hitherto ſo prevailed in the Church, that the Uſe of Exorciſm, (that is to ſay, of Ejection of Devils by Conjuration) is thereupon built; and (though rarely and faintly practiſed) is not yet totally given over. That there were many Dæmoniacs in the primitive Church, and few Madmen, and other ſuch ſingular Diſeaſes; whereas in theſe Times we hear of, and ſee many Madmen and few Dæmoniacs, proceeds not from the Change of Nature, but of Names. But how it comes to paſs, that whereas heretofore the Apoſtles, and after them for a Time, the Paſtors of the Church, did cure thoſe ſingular Diſeaſes, which now they are not ſeen to do; as likewiſe, why it is not in the Power of every true Believer now, to do all that the Faithful did then, that is to ſay, as we read, *Mark* xvi. 17. *In Chriſt's Name to caſt out Devils, to ſpeak with new Tongues, to take up Serpents, to drink deadly Poiſon without Harm taking, and to cure the Sick by laying on of their Hands*, and all this without other Words, but *in the Name of Jeſus*, is another Queſtion. And it is probable, that thoſe extraordinary Gifts were given to the Church, for no longer a Time, than Men truſted wholly to Chriſt, and looked for their Felicity only in the Kingdom to come; and conſequently, that when they ſought Authority and Riches, and truſted to their own Subtilty for a Kingdom of this World, theſe ſupernatural Gifts of God were again taken from them.

Another relic of Gentiliſm, Worſhipping of Images, left in the Church, not brought into it.

Another Relic of *Gentiliſm*, is the *Worſhip of Images*, neither inſtituted by *Moſes* in the Old, or by *Chriſt* in the New Teſtament; nor yet brought in from the *Gentiles*; but left amongſt them, after they had given their Names to Chriſt. Before our Saviour preached, it was the general Religion of the *Gentiles*, to worſhip for Gods, thoſe Apparences that remain in the Brain from the Impreſſion of external Bodies upon the Organs of their Senſes, which are commonly called *Ideas*, *Idols*, *Phantaſms*, *Conceits*, as being Repreſentations of thoſe external Bodies, which cauſe them, and have nothing in them of Reality, no more than there is in the Things that ſeem to ſtand before us in a Dream: And this is the Reaſon why St. *Paul* ſays, *We know that an Idol is nothing:* Not that he thought that an Image of Metal, Stone, or Wood, was nothing; but that the Thing which they honoured or feared in the Image, and held for a God, was a meer Figment, without Place, Habitation, Motion, or Exiſtence, but in the Motions of the Brain. And the Worſhip of theſe with divine Honour, is that which is in the Scripture called Idolatry and Rebellion againſt God. For God being King of the *Jews*, and his Lieutenant being firſt *Moſes*, and afterward the High Prieſt; if the People had been permitted to worſhip, and pray to Images, (which are Repreſentations of their own Fancies) they had had no farther Dependence on the true God, of whom there can be no Similitude; nor on his prime Miniſters, *Moſes*, and the High Prieſts; but every Man had governed himſelf according to his own Appetite, to the utter Everſion of the Commonwealth, and their own Deſtruction for want of Union. And therefore the firſt Law of God was, *They ſhould not take for Gods*, ALIENOS DEOS, that is, *the Gods of other Nations, but that only true God, who vouchſafed to commune with* Moſes, *and by him to give them Laws and Directions for their Peace, and for their Salvation from their Enemies.* And the ſecond was, that *they ſhould not make to themſelves any Image to worſhip, of their own Invention.* For it is the ſame depoſing of a King, to ſubmit to another King, whether he be ſet up by a neighbour Nation, or by ourſelves.

Anſwer to certain ſeeming Texts for Images.

The Places of Scripture to countenance the ſetting up of Images, to worſhip them; or to ſet them up at all in the Places where God is worſhipped, are firſt, two Examples; one of the Cherubims over the Ark of God; the other of the Brazen Serpent: Secondly, ſome Texts whereby we are commanded to worſhip certain Creatures for their Relation to God; as to worſhip his Footſtool: And laſtly, ſome other Texts, by which is authoriſed, a religious honouring of holy Things. But before I examine the Force of thoſe Places, to prove that which is pretended, I muſt firſt explain what is to be underſtood by *worſhipping*, and what by *Images*, and *Idols*.

What is Worſhip.

I have already ſhewn in the XXth Chapter of this Diſcourſe, that to honour, is to value highly the Power of any Perſon: and that ſuch Value is meaſured, by our comparing him with others. But becauſe there is nothing to be compared with God in Power; we honour him not, but diſhonour him, by any Value leſs than Infinite. And thus Honour is properly of its own Nature, ſecret and internal in the Heart. But the inward Thoughts of Men, which appear outwardly in their Words and Actions, are the Signs of honouring, and theſe go by the Name of *Worſhip*, in *Latin*, *Cultus*. Therefore, to pray to, to ſwear by, to obey, to be diligent and officious in ſerving; in ſum, all Words and Actions that betoken Fear to offend, or Deſire to pleaſe, is *Worſhip*, whether thoſe Words and Actions be ſincere, or feigned: and becauſe they appear as Signs of honouring, are ordinarily alſo called *Honour*.

Diſtinction between Divine and Civil Worſhip.

The Worſhip we exhibit to thoſe we eſteem to be but Men, as to Kings and Men in Authority, is *Civil Worſhip*: But the Worſhip we exhibit to that which we think to be God, whatſoever the Words, Ceremonies, Geſtures, or other Actions be, is *Divine Worſhip*. To fall proſtrate before a King, in him that thinks him but a Man, is but Civil Worſhip: And he that but putteth off his Hat in the Church for this Cauſe, that he thinketh it the Houſe of God, worſhippeth with Divine Worſhip. They that ſeek the Diſtinction of Divine and Civil Worſhip, not in the Intention of the Worſhipper, but in the Words *δȣλεία*, and *λατρεία*, deceive themſelves. For whereas there be two Sorts of Servants; that Sort, which is of thoſe that are abſolutely in the Power of their Maſters, as Slaves taken in War, and their Iſſue, whoſe Bodies are not in their own Power, (their Lives depending on the Will of their Maſters, in ſuch Manner as to forfeit them upon the leaſt Diſobedience) and that are bought and ſold as Beaſts, were called Δȣ͂λοι, that is properly, Slaves, and their Service Δȣλεία: The other, which is of thoſe that ſerve (for Hire, or in hope of Benefit from their Maſters) voluntarily, are called Θῆτες, that is, Domeſtic Servants; to whoſe Service the Maſters have no further Right, than is contained in the Covenants made betwixt them. Theſe two Kinds of Servants have thus much common to them both, that their Labour is appointed them by another: And the Word Λάτρις, is the general Name of both, ſignifying him that worketh for another, whether as a Slave, or a voluntary Servant: So that Λατρεία ſignifieth generally all Service; but Δουλεία the Service of Bondmen only, and the Condition of Slavery: And both are uſed in Scripture (to ſignify our Service of God) promiſcuouſly. Δουλεία, becauſe we are God's Slaves; Λατρεία, becauſe we ſerve him: and in all Kinds of Service is contained, not only Obedience, but alſo Worſhip; that is, ſuch Actions, Geſtures, and Words, as ſignify Honour.

An Image, what. Phantaſms.

An *Image* (in the moſt ſtrict Signification of the Word) is the Reſemblance of ſomething viſible: In which Senſe the phantaſtical Forms, Apparitions, or Seemings of viſible Bodies to the Sight, are only *Images*; ſuch as are the Shew of a Man, or other Thing in the Water, by Reflexion or Refraction; or of the Sun, or Stars, by direct Viſion in the Air; which are nothing real in the Things ſeen, nor in the Place they ſeem to be; nor are their Magnitudes and Figures the ſame with that of the Object; but changeable by the Variation of the Organs of Sight, or by Glaſſes; and are preſent oftentimes in our Imagination and in our Dreams, when the Object is abſent; or changed into other Colours and Shapes, as Things that depend only upon the Fancy. And theſe are the Images which are originally and moſt properly called *Ideas* and *Idols*, and derived from the Language of the *Grecians*, with whom the Word Εἴδω ſignifieth to *ſee*. They are alſo called *Phantaſms*, which is in the ſame Language, *Apparitions*. And from theſe Images it is that one of the Faculties of Man's Nature, is called the *Imagination*. And from hence it is manifeſt, that there neither is, nor can be, any Image made of a Thing inviſible.

It is alſo evident, that there can be no Image of a Thing infinite: for all the Images and Phantaſms that are made by the Impreſſion of Things viſible, are figured: but Figure is a Quantity every way determined: And therefore there can be no Image of God; nor of the Soul of Man; nor of Spirits; but only of Bodies viſible, that is, Bodies that have Light in themſelves, or are by ſuch enlightened.

Fictions.

Material Images.

And whereas a Man can fancy Shapes he never ſaw; making up a Figure out of the Parts of divers Creatures; as the Poets make their Centaurs, Chimæras, and other Monſters never ſeen: So can he alſo give Matter to thoſe Shapes, and make them in Wood, Clay, or Metal. And theſe are alſo called Images, not for the Reſemblance of any corporeal Thing, but for the Reſemblance of ſome phantaſtical Inhabitants of the Brain of the Maker. But in theſe Idols, as they are originally in the Brain, and as they are painted, carved, moulded, or moulden in Matter, there is a Similitude of the one to the other, for which the material Body made by Art, may be ſaid to be the Image of the phantaſtical Idol made by Nature.

But in a larger Uſe of the Word Image, is contained alſo any Repreſentation of one Thing by another. So an earthly Sovereign may be called the Image of God: And an inferior Magiſtrate the Image of an earthly Sovereign. And many times in the Idolatry of the *Gentiles*, there was little Regard to the Similitude of their material Idol to the Idol in their Fancy, and yet it was called the Image of it. For a Stone unhewn has been ſet up for *Neptune*, and divers other Shapes far different from the Shapes they conceived of their Gods. And at this Day we ſee many Images of the *Virgin Mary*, and other Saints, unlike one another, and without Correſpondence to any one Man's Fancy; and yet ſerve well enough for the Purpoſe they were erected for; which was no more but by the Names only, to repreſent the Perſons mentioned in the Hiſtory; to which every Man applieth a mental Image of his own making, or none at all. And thus an Image in the largeſt Senſe, is either the Reſemblance or the Repreſentation of ſomething viſible; or both together, as it happeneth for the moſt part.

But the Name of Idol is extended yet further in Scripture, to ſignify alſo the Sun, or a Star, or any other Creature, viſible or inviſible, when they are worſhipped for Gods.

Idolatry, what.

Having ſhewn what is *Worſhip*, and what an *Image*; I will now put them together, and examine what that *Idolatry* is, which is forbidden in the ſecond Commandment, and other Places of the Scripture.

To worſhip an Image, is voluntarily to do thoſe external Acts, which are Signs of honouring either the Matter of the Image, which is Wood, Stone, Metal, or ſome other viſible Creature; or the Phantaſm of the Brain, for the Reſemblance or Repreſentation whereof, the Matter was formed and figured; or both together, as one animate Body, compoſed of the Matter and the Phantaſm, as of a Body and Soul.

To be uncovered, before a Man of Power and Authority, or before the Throne of a Prince, or in ſuch other Places as he ordaineth to that Purpoſe in his Abſence, is to worſhip that Man, or Prince, with Civil Worſhip; as being a Sign, not of honouring the Stool or Place, but the Perſon; and is not Idolatry. But if he that doth it, ſhould ſuppoſe the Soul of the Prince to be in the Stool, or ſhould preſent a Petition to the Stool, it were divine Worſhip and Idolatry.

To pray to a King for ſuch Things as he is able to do for us, though we proſtrate ourſelves before him, is but Civil Worſhip; becauſe we acknowledge no other Power in him, but human: But voluntarily to pray unto him for fair Weather, or for any thing which God only can do for us, is divine Worſhip and Idolatry. On the other Side, if a King compel a Man to it by the Terror of Death, or other great corporal Puniſhment, it is not Idolatry: For the Worſhip which the Sovereign commandeth to be done unto himſelf by the Terror of his Laws, is not a Sign that he that obeyeth him, does inwardly honour him as a God, but that he is deſirous to ſave himſelf from Death or from a miſerable Life; and that which is not a Sign of internal Honour, is no Worſhip; and therefore no Idolatry. Neither can it be ſaid, that he that does it, ſcandalizeth or layeth any Stumbling-block before his Brother; becauſe how wiſe or learned ſoever he be that worſhippeth in that manner, another Man cannot from thence argue, that he approveth it; but that he doth it for Fear; and that it is not his Act, but the Act of his Sovereign.

To worſhip God, in ſome peculiar Place, or turning a Man's Face towards an Image, or determinate Place, is not to worſhip or honour the Place, or Image; but to acknowledge it holy, that is to ſay, to acknowledge the Image, or the Place to be ſet apart from common Uſe: for that is the Meaning of the Word *Holy*; which implies no new Quality in the Place, or Image; but only a new Relation by Appropriation to God; and therefore is not Idolatry; no more than it was Idolatry to worſhip God before the Brazen Serpent; or for the *Jews* when they were out of their own Country, to turn their Faces, (when they prayed) toward the Temple of *Jeruſalem*; or for *Moſes* to put off his Shoes when he was before the flaming Buſh, the Ground appertaining to Mount *Sinai*; which Place God had choſen to appear in, and to give his Laws to the People of *Iſrael*, and was therefore holy Ground, not by inherent Sanctity, but by Separation to God's Uſe; or for Chriſtians to worſhip in the Churches, which are once ſolemnly dedicated to God for that Purpoſe, by the Authority of the King, or other true Repreſentant of the Church. But to worſhip God, as inanimating or inhabiting ſuch Image, or Place; that is to ſay, an infinite Subſtance in a finite Place, is Idolatry: for ſuch finite Gods, are but Idols of the Brain, nothing real; and are commonly called in the Scripture by the Names of *Vanity*, and *Lies*, and *Nothing*. Alſo to worſhip God, not as inanimating, or preſent in the Place, or Image; but to the End to be put in mind of him, or of ſome Works of his, in caſe the Place or Image be dedicated, or ſet up by private Authority, and not by the Authority of them that are our Sovereign Paſtors, is Idolatry. For the Commandment is, *Thou ſhalt not make to thy ſelf any graven Image.* God commanded *Moſes* to ſet up the Brazen Serpent; he did not make it to himſelf; it was not therefore againſt the Commandment. But the making of the Golden Calf by *Aaron*, and the People, as being done without Authority from God, was Idolatry; not only becauſe they held it for God, but alſo becauſe they made it for a religious Uſe, without Warrant either from God their Sovereign, or from *Moſes*, that was his Lieutenant.

The *Gentiles* worſhipped for Gods, *Jupiter*, and others; that living, were Men perhaps that had done great and glorious Acts; and for the Children of God, divers Men and Women, ſuppoſing them gotten between an immortal Deity, and a mortal Man. This was Idolatry, becauſe they made them ſo to themſelves, having no Authority from God, neither in his eternal Law of Reaſon, nor in his poſitive and revealed Will. But though our Saviour was a Man, whom we alſo believe to be God immortal, and the Son of God; yet this is no Idolatry; becauſe we build not that Belief upon our own Fancy, or Judgment, but upon the Word of God revealed in the Scriptures. And for the Adoration of the Euchariſt, if the Words of *Chriſt*, *This is my Body*, ſignify, *that he himſelf, and the ſeeming Bread in his Hand; and not only ſo, but that all the ſeeming Morſels of Bread that have ever ſince been, and any time hereafter ſhall be conſecrated by Prieſts, be ſo many Chriſt's Bodies, and yet all of them but one Body*, then is that no Idolatry, becauſe it is authoriſed by our Saviour: but if that Text do not ſignify that, (for there is no other that can be alledged for it) then, becauſe it is a Worſhip of human Inſtitution, it is Idolatry. For it is not enough to ſay, God can tranſubſtantiate the Bread into *Chriſt*'s Body: For the *Gentiles* alſo held God to be omnipotent; and might upon that Ground no leſs excuſe their Idolatry, by pretending, as well as others, a Tranſubſtantiation of their Wood and Stone into God Almighty.

Whereas there be, that pretend Divine Inſpiration to be a ſupernatural Entering of the Holy Ghoſt into a Man, and not an Acquiſition of God's Graces, by Doctrine and Study; I think they are in a very dangerous Dilemma. For if they worſhip not the Men whom they believe to be ſo inſpired, they fall into Impiety; as not adoring God's ſupernatural Preſence. And again, if they worſhip them, they commit Idolatry; for the Apoſtles would never permit themſelves to be ſo worſhipped. Therefore the ſafeſt way is to believe, that by the Deſcending of the Dove upon the Apoſtles, and by *Chriſt*'s Breathing on them when he gave them the Holy Ghoſt, and by the giving of it by Impoſition of Hands, are underſtood the Signs which God hath been pleaſed to uſe, or ordain to be uſed, of his Promiſe to aſſiſt thoſe Perſons in their Study to preach his Kingdom, and in their Converſation, that it might not be ſcandalous, but edifying to others.

Scandalous Worſhip of Images.

Beſides the idolatrous Worſhip of Images, there is alſo a ſcandalous Worſhip of them; which is alſo a Sin, but not Idolatry. For *Idolatry* is to worſhip by Signs of an internal, and real Honour: but *ſcandalous Worſhip*,

Worſhip, is but ſeeming Worſhip; and may ſometimes be joined with an inward, and hearty Deteſtation, both of the Image, and of the phantaſtical *Dæmon*, or Idol, to which it is dedicated; and proceed only from the fear of Death, or other grievous Puniſhment; and is nevertheleſs a Sin in them that ſo worſhip, in caſe they be Men whoſe Actions are looked at by others, as Lights to guide them by; becauſe following their Ways, they cannot but ſtumble, and fall, in the Way of Religion. Whereas the Example of thoſe we regard not, works not on us at all, but leaves us to our own Diligence and Caution; and conſequently is no Cauſe of our falling.

If therefore a Paſtor lawfully called to teach and direct others, or any other, of whoſe Knowledge there is a great Opinion, do external Honour to an Idol for Fear; unleſs he make his Fear, and Unwillingneſs to it, as evident as the Worſhip; he ſcandalizeth his Brother, by ſeeming to approve Idolatry. For his Brother arguing from the Action of his Teacher, or of him whoſe Knowledge he eſteemeth great, concludes it to be lawful in itſelf. And this Scandal is Sin, and a *Scandal given*. But if one, being no Paſtor, nor of eminent Reputation for Knowledge in Chriſtian Doctrine, do the ſame, and another follow him; this is no Scandal given; for he had no Cauſe to follow ſuch Example: but is a Pretence of Scandal which he taketh of himſelf for an Excuſe before Men. For an unlearned Man, that is in the Power of an idolatrous King, or State, if commanded on Pain of Death to worſhip before an Idol, he deteſteth the Idol in his Heart, he doth well; though if he had the Fortitude to ſuffer Death, rather than worſhip it, he ſhould do better. But if a Paſtor, who as *Chriſt*'s Meſſenger, has undertaken to teach *Chriſt*'s Doctrine to all Nations, ſhould do the ſame, it were not only a ſinful Scandal, in reſpect of other Chriſtian Men's Conſciences, but a perfidious forſaking of his Charge.

The Sum of that which I have ſaid hitherto, concerning the Worſhip of Images, is this, that he that worſhippeth in an Image, or any Creature, either the Matter thereof, or any Fancy of his own, which he thinketh to dwell in it; or both together; or believeth that ſuch Things hear his Prayers, or ſee his Devotions, without Ears, or Eyes, committeth Idolatry: and he that counterfeiteth ſuch Worſhip for Fear of Puniſhment, if he be a Man whoſe Example hath Power amongſt his Brethren, committeth a Sin: But he that worſhippeth the Creator of the World before ſuch an Image, or in ſuch a Place as he hath not made, or choſen of himſelf, but taken from the Commandment of God's Word, as the *Jews* did in worſhipping God before the Cherubims, and before the Brazen Serpent for a Time, and in, or towards the Temple of *Jeruſalem*, which was alſo but for a Time, committeth not Idolatry.

Now for the Worſhip of Saints, and Images, and Relics, and other Things at this Day practiſed in the Church of *Rome*, I ſay they are not allowed by the Word of God, nor brought into the Church of *Rome*, from the Doctrine there taught; but partly left in it at the firſt Converſion of the *Gentiles*; and afterwards countenanced, and confirmed, and augmented by the Biſhops of *Rome*.

Anſwer to the Argument from the Cherubims, and Brazen Serpent.

As for the Proofs alledged out of Scripture, namely, thoſe Examples of Images appointed by God to be ſet up; they were not ſet up for the People, or any Man to worſhip; but that they ſhould worſhip God himſelf before them; as before the Cherubims, before the Ark, and the Brazen Serpent. For we read not that the Prieſt, or any other did worſhip the Cherubims; but contrarily we read, 2 *Kings* xviii. 4. that *Hezekiah* brake in Pieces the Brazen Serpent which *Moſes* had ſet up, becauſe the People burnt Incenſe to it. Beſides, thoſe Examples are not put for our Imitation, that we alſo ſhould ſet up Images, under Pretence of worſhipping God before them; becauſe of the Words of the ſecond Commandment, *Thou ſhalt not make to thyſelf any graven Image, &c.* diſtinguiſh between the Images that God commanded to be ſet up, and thoſe which we ſet up to ourſelves. And therefore from the Cherubims, or Brazen Serpent, to the Images of Man's deviſing; and from the Worſhip commanded by God, to the Will-worſhip of Men, the Argument is not good. This alſo is to be conſidered, that as *Hezekiah* brake in Pieces the Brazen Serpent, becauſe the *Jews* did worſhip it, to the end they ſhould do ſo no more: ſo alſo Chriſtian Sovereigns ought to break down the Images which their Subjects have been accuſtomed to worſhip, that there be no more Occaſion of ſuch Idolatry. For at this Day, the ignorant People, where Images are worſhipped, do really believe there is a Divine Power in the Images; and are told by their Paſtors, that ſome of them have ſpoken; and have bled; and that Miracles have been done by them; which they apprehend as done by the Saint, which they think either is the Image itſelf, or in it. The *Iſraelites*, when they worſhipped the Calf, did think they worſhipped the God that brought them out of *Egypt*; and yet it was Idolatry, becauſe they thought the Calf either was that God, or had him in his Belly. And though ſome Men may think it impoſſible for People to be ſo ſtupid, as to think the Image to be God, or a Saint; or to worſhip it in that Notion; yet it is manifeſt in Scripture to the contrary; where when the Golden Calf was made, the People ſaid, * *Theſe are thy Gods, O Iſrael*; and where the Images of *Laban* † are called his Gods. And we ſee daily by Experience in all Sorts of People, that ſuch Men as ſtudy nothing but their Food and Eaſe, are content to believe any Abſurdity, rather than to trouble themſelves to examine it; holding their Faith as it were by Entail unalienable, except by an expreſs and new Law.

* Exod. xxxii. 2.
† Gen. xxxi. 30.

Painting of Fancies no Idolatry: but abuſing them to religious Worſhip is.

But they infer from ſome other Places, that it is lawful to paint Angels, and alſo God himſelf: as from God's walking in the Garden; from *Jacob*'s ſeeing God at the Top of the Ladder; and from other Viſions, and Dreams. But Viſions, and Dreams, whether natural, or ſupernatural, are but Phantaſms: and he that painteth an Image of any of them, maketh not an Image of God, but of his own Phantaſm, which is making of an Idol. I ſay not, that to draw a Picture after a Fancy, is a Sin; but when it is drawn to hold it for a Repreſentation of God, it is againſt the ſecond Commandment; and can be of no Uſe but to worſhip. And the ſame may be ſaid of the Images of Angels, and of Men dead; unleſs as Monuments of Friends, or of Men worthy Remembrance: for ſuch Uſe of an Image, is not worſhip of the Image; but a civil honouring of the Perſon, not that is, but that was: but when it is done to the Image which we make of a Saint, for no other Reaſon, but that we think he heareth our Prayers, and is pleaſed with the Honour we do him, when dead, and without Senſe, we attribute to him more than human Power; and therefore it is Idolatry.

Seeing therefore there is no Authority, neither in the Law of *Moſes*, nor in the Goſpel, for the religious Worſhip of Images, or other Repreſentations of God, which Men ſet up themſelves; or for the Worſhip of the Image of any Creature in Heaven, or Earth, or under the Earth: and whereas Chriſtian Kings, who are living Repreſentants of God, are not to be worſhipped by their Subjects, by any Act, that ſignifieth a greater Eſteem of his Power, than the Nature of mortal Man is capable of; it cannot be imagined, that the religious Worſhip now in Uſe, was brought into the Church, by miſunderſtanding of the Scripture. It reſteth therefore, that it was left in it, by not deſtroying the Images themſelves, in the Converſion of the Gentiles that worſhipped them.

How Idolatry was left in the Church.

The Cauſe whereof, was the immoderate Eſteem and Prices ſet upon the Workmanſhip of them, which made the Owners (though converted from worſhiping them as they had done religiouſly for Dæmons) to retain them ſtill in their Houſes, upon Pretence of doing it in the Honour of *Chriſt*, of the *Virgin Mary*, and of the *Apoſtles*, and other the Paſtors of the Primitive Church; as being eaſy, by giving them new Names, to make that an Image of the *Virgin Mary*, and of her *Son* our Saviour, which before perhaps was called the Image of *Venus*, and *Cupid*; and ſo of a *Jupiter* to make a *Barnabas*, and of *Mercury* a *Paul*, and the like. And as worldly Ambition creeping by Degrees into the Paſtors, drew them to an Endeavour of pleaſing the new-made Chriſtians; and alſo to a liking of this kind of Honour, which they alſo might hope for after their Deceaſe, as well as thoſe that had already gained it: ſo the worſhipping of the Images of Chriſt and his Apoſtles, grew more and more idolatrous; ſave that ſomewhat after the time of *Conſtantine*, divers Emperors, and Biſhops, and General Councils, obſerved, and oppoſed the Unlawfulneſs thereof; but too late, or too weakly.

Canonizing of Saints.

The *Canonizing of Saints*, is another Relic of Gentiliſm: It is neither a Miſunderſtanding of Scripture, nor a new Invention of the *Roman* Church; but a Cuſtom as ancient as the Commonwealth of *Rome* itſelf. The firſt that ever was canonized at *Rome*, was *Romulus*, and that upon the Narration of *Julius Proculus*, that ſwore before the Senate, he ſpake with him after his Death, and was aſſured by him, he dwelt in Heaven, and was there called *Quirinus*, and would be propitious to the State of their new City: and thereupon the Senate gave *public Teſtimony* of his Sanctity. *Julius Cæſar*, and other Emperors after him, had the like *Teſtimony*; that is, were canonized for Saints; for by ſuch Teſtimony is *Canonization* now defined; and is the ſame with the Αποθέωσις of the Heathen.

The Name of Pontifex.

It is alſo from the *Roman* Heathen, that the Popes have received the Name and Power of *Pontifex Maximus*. This was the Name of him that in the ancient Commonwealth of *Rome*, had the ſupreme Authority under the Senate and People, of regulating all Ceremonies, and Doctrines concerning their Religion: And when *Auguſtus Cæſar* changed the State into a Monarchy, he took to himſelf no more but this Office, and that of Tribune of the People, that is to ſay, the ſupreme Power both in State, and Religion; and the ſucceeding Emperors enjoyed the ſame. But when the Emperor *Conſtantine* lived, who was the firſt that profeſſed and authoriſed Chriſtian Religion, it was conſonant to his Profeſſion, to cauſe Religion to be regulated, under his Authority, by the Biſhop of *Rome:* though it do not appear they had ſo ſoon the Name of *Pontifex*; but rather, that the ſucceeding Biſhops took it of themſelves, to countenance the Power they exerciſed over the Biſhops of the *Roman* Provinces. For it is not any Privilege of St. *Peter*, but the Privilege of the City of *Rome*, which the Emperors were always willing to uphold, that gave them ſuch Authority over other Biſhops; as may be evidently ſeen by that, that the Biſhop of *Conſtantinople*, when the Emperor made that City the Seat of the Empire, pretended to be equal to the Biſhop of *Rome*; though at laſt, not without Contention, the Pope carried it, and became the *Pontifex Maximus*; but in Right only of the Emperor; and not without the Bounds of the Empire; nor any where, after the Emperor had loſt his Power in *Rome*; though it were the Pope himſelf that took his Power from him. From whence we may by the way obſerve, that there is no Place for the Superiority of the Pope over other Biſhops, except in the Territories whereof he is himſelf the Civil Sovereign; and where the Emperor having Sovereign Power Civil, hath expreſly choſen the Pope for the chief Paſtor under himſelf, of his Chriſtian Subjects.

Proceſſion of Images.

The carrying about of Images in *Proceſſion*, is another Relic of the Religion of the *Greeks* and *Romans*: For they alſo carried their Idols from place to place, in a Kind of Chariot, which was peculiarly dedicated to that Uſe, which the *Latines* called *Thenſa*, and *Vehiculum Deorum*: and the Image was placed in a Frame or Shrine, which they called *Ferculum*: And that which they called *Pompa*, is the ſame that now is named *Proceſſion*: According whereunto, amongſt the divine Honours which were given to *Julius Cæſar* by the Senate, this was one, that in the Pomp (or Proceſſion) at the *Circæan* Games, he ſhould have *Thenſam & Ferculum*, a ſacred Chariot and a Shrine; which was as much, as to be carried up and down as a God: juſt as at this Day the Popes are carried by *Switzers* under a Canopy.

Wax Candles, and Torches lighted.

To theſe Proceſſions alſo belonged the bearing of burning Torches, and Candles, before the Images of the Gods, both amongſt the *Greeks* and *Romans*. For afterwards the Emperors of *Rome* received the ſame Honours; as we read of *Caligula*, that at his Reception to the Empire, he was carried from *Miſenum* to *Rome*, in the midſt of a Throng of People, the Ways beſet with Altars, and Beaſts for Sacrifice, and burning *Torches*: And of *Caracalla*, that was received into *Alexandria* with Incenſe, and with caſting of Flowers, and δαδȣχίαις, that is, with Torches; for Δαδȣ͂χοι were they that amongſt the *Greeks* carried Torches lighted in the Proceſſions of their Gods: And in proceſs of Time, the devout but ignorant People, did many times honour their Biſhops with the like Pomp of Wax Candles, and the Images of our Saviour, and the Saints, conſtantly in the Church itſelf. And thus came in the Uſe of Wax Candles; and was alſo eſtabliſhed by ſome of the ancient Councils.

The Heathens had alſo their *Aqua Luſtralis*, that is to ſay, *Holy Water*. The Church of *Rome* imitates them alſo in their *Holy Days*. They had their *Bacchanalia*; and we have our *Wakes*, anſwering to them: They their *Saturnalia*, and we our *Carnivals*, and *Shrove-Tueſdays* Liberty of Servants: They their Proceſſion of *Priapus*; we our fetching in, Erection, and Dancing about *May-poles*; and Dancing is one Kind of Worſhip: They had their Proceſſion called *Ambarvalia*; and we our Proceſſion about the Fields in the *Rogation Week*. Nor do I think that theſe are all the Ceremonies that have been left in the Church, from the firſt Converſion of the *Gentiles*: but they are all that I can for the preſent call to Mind; and if a Man would well obſerve that which is delivered in the Hiſtories, concerning the religious Rites of the *Greeks* and *Romans*, I doubt not but he might find many more of theſe old empty Bottles of *Gentiliſm*, which the Doctors of the *Roman* Church, either by Negligence or Ambition, have filled up again with the new Wine of Chriſtianity, that will not fail in time to break them.

CHAP.

CHAP. XLVI.

Of DARKNESS *from* VAIN PHILOSOPHY, *and* FABULOUS TRADITIONS.

What Philoſophy is.

BY *Philoſophy*, is underſtood *the Knowledge acquired by Reaſoning, from the Manner of the Generation of any thing, to the Properties; or from the Properties, to ſome poſſible Way of Generation of the ſame; to the end to be able to produce, as far as Matter, and human Force permit, ſuch Effects, as human Life requireth.* So the Geometrician, from the Conſtruction of Figures, findeth out many Properties thereof; and from the Properties, new Ways of their Conſtruction, by Reaſoning; to the end to be able to meaſure Land and Water; and for infinite other Uſes. So the Aſtronomer, from the riſing, ſetting, and moving of the Sun and Stars, in divers Parts of the Heavens, findeth out the Cauſes of Day and Night, and of the different Seaſons of the Year; whereby he keepeth an Account of Time: and the like of other Sciences.

Prudence no Part of Philoſophy.

By which Definition it is evident, that we are not to account as any Part thereof, that original Knowledge called Experience, in which conſiſteth Prudence: becauſe it is not attained by Reaſoning, but found as well in Brute Beaſts, as in Man; and is but a Memory of Succeſſions of Events in Times paſt, wherein the Omiſſion of every little Circumſtance altering the Effect, fruſtrateth the Expectation of the moſt prudent: whereas nothing is produced by Reaſoning aright, but general, eternal, and immutable Truth.

No falſe Doctrine is Part of Philophy:

Nor are we therefore to give that Name to any falſe Concluſions: For he that reaſoneth aright in Words he underſtandeth, can never conclude in Error.

No more is Revelation ſupernatural: Nor Learning taken upon Credit of Authors.

Nor to that which any Man knows by ſupernatural Revelation; becauſe it is not acquired by Reaſoning:

Nor to that which is gotten by Reaſoning from the Authority of Books; becauſe it is not by Reaſoning from the Cauſe to the Effect, nor from the Effect to the Cauſe; and is not Knowledge, but Faith.

Of the Beginnings and Progreſs of Philoſophy.

The Faculty of Reaſoning being conſequent to the Uſe of Speech, it was not poſſible, but that there ſhould have been ſome general Truths found out by Reaſoning, as ancient almoſt as Language itſelf. The Savages of *America*, are not without ſome good Moral Sentences; alſo they have a little Arithmetic to add, and divide in Numbers not too great: but they are not therefore Philoſophers. For as there were Plants of Corn and Wine in ſmall Quantity diſperſed in the Fields and Woods, before Men knew their Virtue, or made uſe of them for their Nouriſhment, or planted them apart in Fields and Vineyards; in which Time they fed on Acorns, and drank Water: ſo alſo there have been divers true, general, and profitable Speculations from the Beginning; as being the natural Plants of human Reaſon: But they were at firſt but few in Number; Men lived upon groſs Experience; there was no Method; that is to ſay, no ſowing, no planting of Knowledge by itſelf, apart from the Weeds, and common Plants of Error and Conjecture: And the Cauſe of it being the want of Leiſure from procuring the Neceſſities of Life, and defending themſelves againſt their Neighbours, it was impoſſible, till the erecting of great Commonwealths, it ſhould be otherwiſe. *Leiſure* is the Mother of *Philoſophy*; and *Commonwealth*, the Mother of *Peace* and *Leiſure*: Where firſt were great and flouriſhing *Cities*, there was firſt the Study of *Philoſophy*.

loſophy. The *Gymnoſophiſts* of *India*, the *Magi* of *Perſia*, and the *Prieſts* of *Chaldea* and *Egypt*, are counted the moſt ancient Philoſophers; and thoſe Countries were the moſt ancient of Kingdoms. *Philoſophy* was not riſen to the *Grecians*, and other People of the *Weſt*, whoſe *Commonwealths*, (no greater perhaps than *Lucca* or *Genoa)* had never *Peace*, but when their Fears of one another were equal; nor the *Leiſure* to obſerve any thing but one another. At length, when War had united many of theſe *Grecian* leſſer Cities, into fewer and greater; then began *ſeven Men*, of ſeveral Parts of *Greece*, to get the Reputation of being *wiſe*; ſome of them for *moral* and *politic* Sentences; and others for the Learning of the *Chaldeans* and *Egyptians*, which was *Aſtronomy* and *Geometry*. But we hear not yet of any *Schools* of *Philoſophy*.

Of the Schools of Philoſophy amongſt the Athenians.

After the *Athenians* by the Overthrow of the *Perſian* Armies, had gotten the Dominion of the Sea; and thereby of all the Iſlands and Maritime Cities of the *Archipelago*, as well of *Aſia* as *Europe*, and were grown wealthy; they that had no Employment, neither at home nor abroad, had little to employ themſelves in, but either (as St. *Luke* ſays, *Acts* xvii. 21.) *in telling and hearing News*, or in diſcourſing of *Philoſophy* publicly to the Youth of the City. Every Maſter took ſome Place for that Purpoſe. *Plato* in certain public Walks called *Academia*, from one *Academus*: *Ariſtotle* in the Walk of the Temple of *Pan*, called *Lycæum*: others in the *Stoa*, or covered Walk, wherein the Merchants Goods were brought to Land: others in other Places; where they ſpent the Time of their Leiſure in teaching, or in diſputing of their Opinions: and ſome in any Place, where they could get the Youth of the City together to hear them talk. And this was it which *Carneades* alſo did at *Rome*, when he was Ambaſſador: which cauſed *Cato* to adviſe the Senate to diſpatch him quickly, for fear of corrupting the Manners of the young Men that delighted to hear him ſpeak (as they thought) fine Things.

From this it was, that the Place where any of them taught, and diſputed, was called *Schola*, which in their Tongue ſignifieth *Leiſure*; and their Diſputations, *Diatribæ*, that is that is to ſay, *paſſing of the Time*. Alſo the Philoſophers themſelves had the Name of their Sects, ſome of them from theſe their Schools: For they that followed *Plato*'s Doctrine, were called *Academics*; the followers of *Ariſtotle*, *Peripatetics*, from the Walk he taught in; and thoſe that *Zeno* taught, *Stoics*, from the *Stoa*: as if we ſhould denominate Men from *More-fields*, from *Paul*'s *Church*, and from the *Exchange*, becauſe they meet there often, to prate and loiter.

Neverthelefs, Men were ſo much taken with this Cuſtom, that in time it ſpread itſelf over all *Europe*, and the beſt Part of *Africa*; ſo as there were Schools publicly erected, and maintained for Lectures and Diſputations, almoſt in every Commonwealth.

Of the Schools of the Jews.

There were alſo Schools, anciently, both before and after the Time of our Saviour, amongſt the *Jews*: but they were Schools of their Law. For though they were called *Synagogues*, that is to ſay, Congregations of the People; yet inaſmuch as the Law was every Sabbath Day read, expounded, and diſputed in them, they differed not in Nature, but in Name only from public Schools; and were not only in *Jeruſalem*, but in every City of the *Gentiles*, where the *Jews* inhabited. There was ſuch a School at *Damaſcus*, whereinto *Paul* entered, to perſecute. There were others at *Antioch*, *Iconium*, and *Theſſalonica*, whereinto he entered to diſpute: And ſuch was the Synagogue of the *Libertines*, *Cyrenians*, *Alexandrians*, *Cilicians*, and thoſe of *Aſia*; that is to ſay, the School of *Libertines*, and of *Jews*, that were Strangers in *Jeruſalem*: And of this School they were that diſputed, *Acts* vi. 9. with St. *Stephen*.

The School of the Grecians unprofitable.

But what has been the Utility of thoſe Shools? what Science is there at this Day acquired by their Readings and Diſputings? That we have of Geometry, which is the Mother of all natural Science, we are not indebted for it to the Schools. *Plato*, that was the beſt Philoſopher of the *Greeks*, forbad Entrance into his School, to all that were not already in ſome meaſure Geometricians. There were many that ſtudied that Science to the great Advantage of Mankind: but there is no Mention of their Schools; nor was there any Sect of Geometricians; nor did they then paſs under the Name of Philoſophers. The natural Philoſophy of thoſe Schools, was rather a Dream than Science, and ſet forth in ſenſeleſs and inſignificant Language; which cannot be avoided by thoſe that will teach Philoſophy, without having firſt attained great Knowledge in Geometry: For Nature worketh by Motion; the Ways and Degrees whereof cannot be known, without the Knowledge of the Proportions and Properties of Lines and Figures. Their moral Philoſophy is but a Deſcription of their own Paſſions. For the Rule of Manners, without Civil Government, is the Law of Nature; and in it, the Law Civil; that determineth what is *honeſt*, and *diſhoneſt*; what is *juſt*, and *unjuſt*; and generally what is *good* and *evil*: whereas they make the Rules of *Good* and *Bad*, by their own *liking* and *diſliking*: By which Means, in ſo great Diverſity of Taſte, there is nothing generally agreed on; but every one doth, as far as he dares, whatſoever ſeemeth good in his own Eyes, to the Subverſion of Commonwealth. Their *Logic*, which ſhould be the Method of Reaſoning, is nothing elſe but Captions of Words, and Inventions how to puzzle ſuch as ſhould go about to oppoſe them. To conclude, there is nothing ſo abſurd, that the old Philoſophers (as *Cicero* ſaith, who was one of them) have not ſome of them maintained. And I believe that ſcarce any thing can be more abſurdly ſaid in natural Philoſophy, than that which now is called *Ariſtotle*'s *Metaphyſics*; nor more repugnant to Government, than much of that he hath ſaid in his *Politics*; nor more ignorantly, than a great part of his *Ethics*.

The Schools of the Jews unprofitable.

The School of the *Jews*, was originally a School of the Law of *Moſes*; who commanded, *Deut*. xxxi. 10. that at the End of every ſeventh Year, at the Feaſt of the Tabernacles, it ſhould be read to all the People, that they might hear, and learn it: Therefore the reading of the Law (which was in uſe after the Captivity) every Sabbath-day, ought to have had no other End, but the acquainting of the People with the Commandments which they were to obey, and to expound unto them the Writings of the Prophets. But it is manifeſt, by the many Reprehenſions of them by our Saviour, that they corrupted the Text of the Law with their falſe Commentaries, and vain Traditions; and ſo little underſtood the Prophets, that they did neither acknowledge *Chriſt*, nor the Works he did; of which the Prophets propheſied. So that, by their Lectures and Diſputations in their Synagogues, they turned the Doctrine of their Law into a phantaſtical kind of Philoſophy, concerning the incomprehenſible Nature of God, and of Spirits; which they compounded of the vain Philoſophy and Theology of the *Grecians*, mingled with their own Fancies, drawn from the obſcurer Places of the Scripture, and which might moſt eaſily be wreſted to their Purpoſe; and from the fabulous Traditions of their Anceſtors.

Univerſity, what it is.

That which is now called an *Univerſity*, is a joining together, and an Incorporation under one Government, of many public Schools, in one and the ſame Town or City. In which, the principal Schools were ordained for the three Profeſſions, that is to ſay, of the *Roman* Religion, of the *Roman* Law, and of the Art of Medicine. And for the

Study of Philoſophy it hath no otherwiſe place, than as a Handmaid to the *Roman* Religion: And ſince the Authority of *Ariſtotle* is only current there, that Study is not properly Philoſophy (the Nature whereof dependeth not on Auhors) but *Ariſtotelity.* And for Geometry, till of very late times, it had no Place at all; as being ſubſervient to nothing but rigid Truth. And if any Man, by the Ingenuity of his own Nature, had attained to any Degree of Perfection therein, he was commonly thought a Magician, and his Art diabolical.

Errors brought into Religion from Ariſtotle's Metaphyſics.

Now to deſcend to the particular Tenets of vain Philoſophy, derived to the Univerſities, and thence into the Church, partly from *Ariſtotle*, partly from Blindneſs of Underſtanding; I ſhall firſt conſider their Principles. There is a certain *Philoſophia prima*, on which all other Philoſophy ought to depend; and conſiſteth principally, in right limiting of the Significations of ſuch Appellations, or Names, as are of all others the moſt univerſal: Which Limitations ſerve to avoid Ambiguity, and Equivocation in Reaſoning; and are commonly called Definitions; ſuch as are the Definitions of Body, Time, Place, Matter, Form, Eſſence, Subject, Subſtance, Accident, Power, Act, Finite, Infinite, Quantity, Quality, Motion, Action, Paſſion, and divers others, neceſſary to the explaining of a Man's Conceptions concerning the Nature and Generation of Bodies. The Explication (that is, the ſettling of the Meaning) of which, and the like Terms, is commonly in the Schools called *Metaphyſics*; as being a part of the Philoſophy of *Ariſtotle*, which hath that for Title: but it is in another Senſe; for there it ſignifieth as much as *Books written, or placed after his natural Philoſophy:* But the Schools take them for *Books of ſupernatural Philoſophy:* for the Word *Metaphyſics* will bear both theſe Senſes. And indeed that which is there written, is for the moſt part ſo far from the Poſſibility of being underſtood, and ſo repugnant to natural Reaſon, that whoſoever thinketh there is any thing to be underſtood by it, muſt needs think it ſupernatural.

Errors concerning abſtract Eſſences.

From theſe Metaphyſics, which are mingled with the Scripture to make School Divinity, we are told, there be in the World certain Eſſences ſeparated from Bodies, which they call *abſtract Eſſences, and ſubſtantial Forms:* For the interpreting of which *Jargon*, there is need of ſomewhat more than ordinary Attention in this Place. Alſo I aſk Pardon of thoſe that are not uſed to this kind of Diſcourſe, for applying myſelf to thoſe that are. The World (I mean not the Earth only, that denominates the Lovers of it, *worldly Men*, but the *Univerſe*, that is, the whole Maſs of all Things that are) is corporeal, that is to ſay, Body; and hath the Dimenſions of Magnitude, namely, Length, Breadth, and Depth: alſo every part of Body, is likewiſe Body, and hath the like Dimenſions; and conſequently every part of the Univerſe is Body; and that which is not Body, is no part of the Univerſe: And becauſe the Univerſe is All, that which is no part of it, is *Nothing*; and conſequently *no where.* Nor does it follow from hence, that Spirits are *nothing:* for they have Dimenſions, and are therefore really *Bodies*; though that Name in common Speech be given to ſuch Bodies only, as are viſible, or palpable; that is, that have ſome Degree of Opacity: But for Spirits, they call them incorporeal; which is a Name of more Honour, and may therefore with more Piety be attributed to God himſelf; in whom we conſider not what Attribute expreſſeth beſt his Nature, which is incomprehenſible; but what beſt expreſſeth our Deſire to honour him.

To know now upon what Grounds they ſay there be *Eſſences abſtract*, or *ſubſtantial Forms*, we are to conſider what thoſe Words do properly ſignify. The Uſe of Words, is to regiſter to ourſelves, and make manifeſt to others, the Thoughts and Conceptions of our Minds. Of which

Words, ſome are the Names of Things conceived; as the Names of all ſorts of Bodies, that work upon the Senſes, and leave an Impreſſion in the Imagination: Others are the Names of the Imaginations themſelves; that is to ſay, of thoſe Ideas, or mental Images we have of all Things we ſee, or remember: And others again are Names of Names; or of different ſorts of Speech: As *Univerſal*, *Plural*, *Singular*, are the Names of Names; and *Definition*, *Affirmation*, *Negation*, *True*, *Falſe*, *Syllogiſm*, *Interrogation*, *Promiſe*, *Covenant*, are the Names of certain Forms of Speech. Others ſerve to ſhew the Conſequence, or Repugnance of one Name to another; as when one ſaith, *A Man is a Body*, he intendeth that the Name of *Body* is neceſſarily conſequent to the Name of *Man*; as being but ſeveral Names of the ſame Thing, *Man*; which Conſequence is ſignified by coupling them together with the Word *is*. And as we uſe the Verb *is*; ſo the *Latins* uſe the Verb *eſt*, and the *Greeks* their Ἔστι through all its Declinations. Whether all other Nations of the World have in their ſeveral Languages a Word that anſwereth to it, or not, I cannot tell; but I am ſure they have not need of it: For the placing of two Names in order may ſerve to ſignify their Conſequence; if it were the Cuſtom, (for Cuſtom is it that give Words their Force) as well as the Words *is*, or *be*, or *are*, and the like.

And if it were ſo, that there were a Language without any Verb anſwerable to *eſt*, or *is*, or *be*; yet the Men that uſed it would be not a Jot the leſs capable of inferring, concluding, and of all kind of Reaſoning, than were the *Greeks* and *Latins*. But what then would become of theſe Terms of *Entity*, *Eſſence*, *Eſſential*, *Eſſentiality*, that are derived from it, and of many more that depend on theſe, applied as moſt commonly they are? They are therefore no Names of Things, but Signs, by which we make known, that we conceive the Conſequence of one Name or Attribute to another: as when we ſay, *a Man, is, a living Body*, we mean not that the *Man* is one thing, the *living Body* another, and the *is*, or *Being* a third: but that the *Man* and the *living Body* is the ſame thing; becauſe the Conſequence, *If he be a Man, he is a living Body*, is a true Conſequence, ſignified by that Word *is*. Therefore, *to be a Body*, *to walk*, *to be ſpeaking*, *to live*, *to ſee*, and the like Infinitives; alſo *Corporeity*, *Walking*, *Speaking*, *Life*, *Sight*, and the like, that ſignify juſt the ſame, are the Names of *Nothing*; as I have elſewhere more amply expreſſed.

But to what Purpoſe, may ſome Man ſay, is ſuch Subtilty in a Work of this Nature, where I pretend to nothing but what is neceſſary to the Doctrine of Government and Obedience? It is to this Purpoſe, that Men may no longer ſuffer themſelves to be abuſed, by them, that by this Doctrine of *ſeparated Eſſences*, built on the vain Philoſophy of *Ariſtotle*, would fright them from obeying the Laws of their Country, with empty Names; as Men fright Birds from the Corn with an empty Doublet, a Hat, and a crooked Stick. For it is upon this Ground, that when a Man is dead and buried, they ſay his Soul, that is his Life, can walk ſeparated from his Body, and is ſeen by Night amongſt the Graves. Upon the ſame Ground they ſay, that the Figure, and Colour, and Taſte, of a Piece of Bread, has a Being, there, where they ſay there is no Bread: and upon the ſame Ground they ſay, that Faith, and Wiſdom, and other Virtues, are ſometimes *poured* into a Man, ſometimes *blown* into him from Heaven; as if the Virtuous, and their Virtues, could be aſunder; and a great many other things that ſerve to leſſen the Dependance of Subjects on the Sovereign Power of their Country. For who will endeavour to obey the Laws, if he expect Obedience to be poured or blown into him? or who will not obey a Prieſt, that can make God, rather than his

Sovereign; nay than God himſelf? or who, that is in Fear of Ghoſts, will not bear great Reſpect to thoſe that can make the Holy Water, that drives them from him? And this ſhall ſuffice for an Example of the Errors, which are brought into the Church, from the *Entities* and *Eſſences* of *Ariſtotle*: which it may be he knew to be falſe Philoſophy; but writ it as a Thing conſonant to, and corroborative of their Religion; and fearing the Fate of *Socrates*.

Being once fallen into this Error of *ſeparated Eſſences*, they are thereby neceſſarily involved in many other Abſurdities that follow it. For ſeeing they will have theſe Forms to be real, they are obliged to aſſign them *ſome Place*. But becauſe they hold them incorporeal, without all Dimenſion of Quantity, and all Men know that Place is Dimenſion, and not to be filled but by that which is corporeal; they are driven to uphold their Credit with a Diſtinction, that they are not indeed any where *Circumſcriptivè*, but *Definitivè*: Which Terms being mere Words, and on this Occaſion inſignificant, paſs only in *Latin*, that the Vanity of them may be concealed. For the Circumſcription of a Thing, is nothing elſe but the Determination, or Defining of its Place; and ſo both the Terms of the Diſtinction are the ſame. And in particular, of the Eſſence of a Man, which (they ſay) is the Soul, they affirm it, to be all of it in his little Finger, and all of it in every other Part (how ſmall ſoever) of his Body; and yet no more Soul in the whole Body, than in any one of thoſe Parts. Can any Man think that God is ſerved with ſuch Abſurdities? And yet all this is neceſſary to believe, to thoſe that will believe the Exiſtence of an incorporeal Soul, ſeparated from the Body.

And when they come to give Account, how an incorporeal Subſtance can be capable of Pain, and be tormented in the Fire of Hell, or Purgatory, they have nothing at all to anſwer, but that it cannot be known how fire can burn Souls.

Again, whereas Motion is Change of Place, and incorporeal Subſtances are not capable of Place, they are troubled to make it ſeem poſſible, how a Soul can go hence, without the Body, to Heaven, Hell, or Purgatory; and how the Ghoſts of Men (and I may add of their Clothes which they appear in) can walk by Night in Churches, Church-yards, and other Places of Sepulture. To which I know not what they can anſwer, unleſs they will ſay, they walk *definitivè*, not *circumſcriptivè*, or *ſpiritually*, not *temporally*: for ſuch egregious Diſtinctions are equally applicable to any Difficulty whatſoever.

Nunc-ſtans.

For the Meaning of *Eternity*, they will not have it to be an endleſs Succeſſion of Time, for then they ſhould not be able to render a Reaſon how God's Will, and preordaining of Things to come, ſhould not be before his Preſcience of the ſame, as the efficient Cauſe before the Effect, or Agent before the Action; nor of many other their bold Opinions concerning the incomprehenſible Nature of God. But they will teach us, that Eternity is the Standing ſtill of the preſent Time, a *Nunc-ſtans*, (as the Schools call it;) which neither they, nor any elſe underſtand, no more than they would a *Hic-ſtans* for an infinite Greatneſs of Place.

One Body in many Places, and many Bodies in one Place at once.

And whereas Men divide a Body in their Thought, by numbering Parts of it, and in numbering thoſe Parts, number alſo the Parts of the Place it filled; it cannot be but in making many Parts, we make alſo many Places of thoſe Parts; whereby there cannot be conceived in the Mind of any Man, more or fewer Parts, than there are Places for: yet they will have us believe, that by the Almighty Power of God, one Body may be at one and the ſame Time in many Places, and many Bodies at one and the ſame Time in one Place: As if it were an Acknowledgment of the divine Power, to ſay, that which is, is not; or that which has been, has not been. And theſe are but a ſmall Part of the Incongruities they are forced to, from their diſputing Philoſophically, inſtead of admiring, and adoring of the divine and incomprehenſible Nature; whoſe Attributes cannot ſignify what he is, but ought to ſignify our Deſire to honour him with the beſt Appellations we can think on. But they that venture to reaſon of his Nature, from theſe Attributes of Honour, loſing their Underſtanding in the very firſt Attempt, fall from one Inconvenience into another, without End and without Number; in the ſame Manner, as when a Man, ignorant of the Ceremonies of Court, coming into the Preſence of a greater Perſon than he is uſed to ſpeak to, and ſtumbling at his Entrance, to ſave himſelf from falling, lets ſlip his Cloak; to recover his Cloak, lets fall his Hat; and with one Diſorder after another, diſcovers his Aſtoniſhment and Ruſticity.

Abſurdities in natural Philoſophy, as Gravity the Cauſe of Heavineſs.

Then for *Phyſics*, that is, the Knowledge of the ſubordinate, and ſecondary Cauſes of natural Events; they render none at all, but empty Words. If you deſire to know why ſome Kind of Bodies ſink naturally downwards toward the Earth, and others go naturally from it; the Schools will tell you out of *Ariſtotle*, that the Bodies that ſink downwards, are *heavy*; and that this Heavineſs is it that cauſes them to deſcend: But if you aſk what they mean by *Heavineſs*, they will define it to be an Endeavour to go to the Center of the Earth: ſo that the Cauſe why Things ſink downward, is an Endeavour to be below: which is as much as to ſay, that Bodies deſcend or aſcend, becauſe they do. Or they will tell you the Center of the Earth is the Place of Reſt, and Conſervation for heavy Things; and therefore they endeavour to be there: As if Stones and Metals had a Deſire, or could diſcern the Place they would be at, as Man does; or loved Reſt, as Man does not; or that a Piece of Glaſs were leſs ſafe in the Window, than falling into the Street.

Quantity put into Body already made.

If we would know why the ſame Body ſeems greater (without adding to it) one Time than another; they ſay, when it ſeems leſs, it is *condenſed*; when greater, *rarefied*. What is that *condenſed*, and *rarefied*? Condenſed, is when there is in the very ſame Matter, leſs Quantity than before; and rarefied, when more. As if there could be Matter, that had not ſome determined Quantity; when Quantity is nothing elſe but the Determination of Matter; that is to ſay, of Body, by which we ſay one Body is greater or leſſer than another, by thus, or thus much. Or as if a Body were made without any Quantity at all, and that afterwards more or leſs were put into it, according as it is intended the Body ſhould be more or leſs denſe.

Pouring in of Souls.

For the Cauſe of the Soul of Man, they ſay, *Creatur Infundendo*, and *Creando Infunditur*: that is, *It is Created by Pouring it in*, and *Poured in by Creation.*

Ubiquity of Apparition.

For the Cauſe of Senſe, an Ubiquity of *Species*; that is, of the *Shews* or *Apparitions* of Objects; which when they be Apparitions to the Eye, is *Sight*; when to the Ear, *Hearing*; to the Palate, *Taſte*; to the Noſtril, *Smelling*; and to the reſt of the Body, *Feeling*.

Will, the Cauſe of Willing.

For Cauſe of the Will, to do any particular Action, which is called *Volitio*, they aſſign the Faculty, that is to ſay, the Capacity in general, that Men have, to will ſometimes one thing, ſometimes another, which is called *Voluntas*; making the *Power* the Cauſe of the *Act*: As if one ſhould aſſign for Cauſe of the good or evil Acts of Men, their Ability to do them.

Ignorance an occult Cauſe.

And on many Occaſions they put for Cauſe of natural Events, their own Ignorance; but diſguiſed in other Words: As when they ſay, Fortune is the Cauſe of Things contingent; that is, of Things whereof they know no Cauſe: And as when they attribute many Effects to *occult Qualities*; that is, Qualities not known to them; and therefore alſo (as they think) to no Man elſe. And to *Sympathy*, *Antipathy*, *Antiperiſtaſis*, *Specifical Qualities*, and other like Terms, which ſignify neither the Agent that produceth them, nor the Operation by which they are produced.

If ſuch *Metaphyſics* and *Phyſics* as this, be not *vain Philoſophy*, there was never any; nor needed St. *Paul* to give us warning to avoid it.

One makes the Things incongruent, another the Incongruity.

And for their Moral and Civil Philoſophy, it hath the ſame, or greater Abſurdities. If a Man do an Action of Injuſtice, that is to ſay, an Action contrary to the Law, God they ſay is the prime Cauſe of the Law, and alſo the prime Cauſe of that, and all other Actions; but no Cauſe at all of the Injuſtice; which is the Inconformity of the Action to the Law. This is vain Philoſophy. A Man might as well ſay, that one Man maketh both a ſtraight Line, and a crooked, and another maketh their Incongruity. And ſuch is the Philoſophy of all Men that reſolve of their Concluſions, before they know their Premiſes; pretending to comprehend, that which is incomprehenſible; and of Attributes of Honour to make Attributes of Nature; as this Diſtinction was made to maintain the Doctrine of Free-will, that is, of a Will of Man, not ſubject to the Will of God.

Private Appetite the Rule of public Good:

Ariſtotle, and other heathen Philoſophers, define Good and Evil, by the Appetite of Men; and well enough, as long as we conſider them governed every one by his own Law: For in the Condition of Men that have no other Law but their own Appetites, there can be no general Rule of good and evil Actions. But in a Commonwealth this Meaſure is falſe: Not the Appetite of private Men, but the Law, which is the Will and Appetite of the State, is the Meaſure. And yet is this Doctrine ſtill practiſed; and Men judge the Goodneſs, or Wickedneſs of their own, and of other Men's Actions, and of the Actions of the Commonwealth itſelf, by their own Paſſions; and no Man calleth Good or Evil, but that which is ſo in his own Eyes, without any Regard at all to the public Laws; except only Monks and Friars, that are bound by Vow to that ſimple Obedience to their Superior, to which every Subject ought to think himſelf bound by the Law of Nature to the Civil Sovereign. And this private Meaſure of Good, is a Doctrine not only vain, but alſo pernicious to the public State.

And that lawful Marriage is Unchaſtity.

It is alſo vain and falſe Philoſophy, to ſay the Work of Marriage is repugnant to Chaſtity or Continence, and by conſequence to make them moral Vices; as they do, that pretend Chaſtity and Continence, for the Ground of denying Marriage to the Clergy. For they confeſs it is no more, but a Conſtitution of the Church, that requireth in thoſe holy Orders that continually attend the Altar, and Adminiſtration of the Euchariſt, a continual Abſtinence from Women, under the Name of continual Chaſtity, Continence, and Purity. Therefore they call the lawful Uſe of Wives, Want of Chaſtity and Continence; and ſo make Marriage a Sin, or at leaſt a Thing ſo impure and unclean, as to render a Man unfit for the Altar. If the Law were made becauſe the Uſe of Wives is Incontinence, and contrary to Chaſtity, then all Marriage is Vice: If becauſe it is a Thing too impure, and unclean for a Man conſecrated to God; much more ſhould other natural, neceſſary, and daily Works which all Men do, render Men unworthy to be Prieſts, becauſe they are more unclean.

But the ſecret Foundation of this Prohibition of Marriage of Prieſts, is not likely to have been laid ſo ſlightly, as upon ſuch Errors in Moral Philoſophy; nor yet upon the Preference of ſingle Life, to the Eſtate of Matrimony; which proceeded from the Wiſdom of St. *Paul*, who perceived how inconvenient a Thing it was, for thoſe that in thoſe Times of Perſecution were Preachers of the Goſpel, and forced to fly from one

Country to another, to be clogged with the Care of Wife and Children; but upon the Deſign of the Popes, and Prieſts of After-times to make themſelves the Clergy, that is to ſay, ſole Heirs of the Kingdom of God in this World; to which it was neceſſary to take from them the Uſe of Marriage, becauſe our Saviour ſaith, that at the Coming of his Kingdom the Children of God *ſhall neither marry nor be given in Marriage, but ſhall be as the Angels in Heaven*; that is to ſay, Spiritual. Seeing then they had taken on them the Name of Spiritual, to have allowed themſelves (when there was no Need) the Propriety of Wives, had been an Incongruity.

And that all Goverment but Popular, is Tyranny.

From *Ariſtotle*'s Civil Philoſophy, they have learned to call all manner of Commonwealths but the Popular, (ſuch as was at that Time the State of *Athens*) *Tyranny*. All Kings they called Tyrants; and the Ariſtocracy of the thirty Governors ſet up there by the *Lacedæmonians* that ſubdued them, the thirty Tyrants: As alſo to call the Condition of the People under the Democracy, *Liberty*. A *Tyrant* originally ſignified no more, ſimply, but a *Monarch:* But when afterwards, in moſt Parts of *Greece*, that kind of Government was aboliſhed, the Name began to ſignify, not only the thing it did before, but with it, the Hatred which the popular States bare towards it: As alſo the Name of King became odious after the depoſing the Kings in *Rome*, as being a thing natural to all Men, to conceive ſome great Fault to be ſignified in any Attribute, that is given in Deſpight, and to a great Enemy. And when the ſame Men ſhall be diſpleaſed with thoſe that have the Adminiſtration of the Democracy, or Ariſtocracy, they are not to ſeek for diſgraceful Names to expreſs their Anger in; but call readily the one *Anarchy*, and the other *Oligarchy*, or the *Tyranny of a Few*. And that which offendeth the People, is no other thing, but that they are governed, not as every one of them would himſelf, but as the public Repreſentant, be it one Man, or an Aſſembly of Men, thinks fit; that is, by an arbitrary Government: for which they give evil Names to their Superiors; never knowing (till perhaps a little after a Civil War) that without ſuch arbitrary Government, ſuch War muſt be perpetual; and that it is Men, and Arms, not Words, and Promiſes, that make the Force and Power of the Laws.

That not Men, but Law governs.

And therefore this is another Error of *Ariſtotle*'s Politics, that in a well-ordered Commonwealth, not Men ſhould govern, but the Laws. What Man, that has his natural Senſes, though he can neither write nor read, does not find himſelf governed by them he fears, and believes can kill or hurt him when he obeyeth not? or that believes the Law can hurt him; that is, Words and Paper, without the Hands and Swords of Men? And this is of the Number of pernicious Errors: for they induce Men, as oft as they like not their Governors, to adhere to thoſe that call them Tyrants, and to think it lawful to raiſe War againſt them: and yet they are many times cheriſhed from the Pulpit, by the Clergy.

Laws over the Conſcience.

There is another Error in their Civil Philoſophy (which they never learned of *Ariſtotle* nor *Cicero*, or any other of the Heathen) to extend the Power of the Law, which is the Rule of Actions only, to the very Thoughts, and Conſciences of Men, by Examination, and *Inquiſition* of what they hold, notwithſtanding the Conformity of their Speech and Actions: by which, Men are either puniſhed for anſwering the Truth of their Thoughts, or conſtrained to anſwer an Untruth for fear of Puniſhment. It is true, that the Civil Magiſtrate, intending to employ a Miniſter in the Charge of Teaching, may enquire of him, if he be content to preach ſuch, and ſuch Doctrines; and in caſe of Refuſal, may deny him the Employment; but to force him to accuſe himſelf of Opinions, when his Actions are not by Law forbidden, is againſt the Law of

Nature; and eſpecially in them, who teach, that a Man ſhall be damned to eternal and extreme Torments, if he die in a falſe Opinion concerning an Article of the Chriſtian Faith. For who is there, that knowing there is ſo great Danger in an Error, whom the natural Care of himſelf, compelleth not to hazard his Soul upon his own Judgmenr, rather than that of any other Man that is unconcerned in his Damnation ?

Private Interpretation of Law.

For a private Man, without the Authority of the Commonwealth, that is to ſay, without Permiſſion from the Repreſentant thereof, to interpret the Law by his own Spirit, is another Error in the Politics; but not drawn from *Ariſtotle*, nor from any other of the Heathen Philoſophers. For none of them deny, but that in the Power of making Laws is comprehended alſo the Power of explaining them when there is need. And are not the Scriptures, in all Places, where they are Law, made Law by the Authority of the Commonwealth, and conſequently a Part of the Civil Law?

Of the ſame Kind it is alſo, when any but the Sovereign reſtraineth in any Man that Power which the Commonwealth hath not reſtrained : as they do, that appropriate the Preaching of the Goſpel to one certain Order of Men, where the Laws have left it free. If the State give me leave to preach or teach; that is, if it forbid me not, no Man can forbid me. If I find myſelf amongſt the Idolaters of *America*, ſhall I that am a Chriſtian, though not in Orders, think it a Sin to preach *Jeſus Chriſt*, till I have received Orders from *Rome?* or when I have preached, ſhall not I anſwer their Doubts, and expound the Scriptures to them; that is, ſhall I not teach ? But for this may ſome ſay, as alſo for adminiſtring to them the Sacraments, the Neceſſity ſhall be eſteemed for a ſufficient Miſſion; which is true : But this is true alſo, that for whatſoever a Diſpenſation is due for the Neceſſity, for the ſame there needs no Diſpenſation, when there is no Law that forbids it. Therefore to deny theſe Functions to thoſe to whom the Civil Sovereign hath not denied them, is a taking away of a lawful Liberty; which is contrary to the Doctrine of Civil Government.

Language of School-Divines.

More Examples of vain Philoſophy, brought into Religion by the Doctors of School-Divinity, might be produced; but other Men may if they pleaſe obſerve them of themſelves. I ſhall only add this, that the Writings of School-Divines are nothing elſe, for the moſt Part, but inſignificant Trains of ſtrange and barbarous Words, or Words otherwiſe uſed, than in the common Uſe of the *Latin* Tongue; ſuch as would oppoſe *Cicero* and *Varro*, and all the Grammarians of ancient *Rome*. Which if any Man would ſee proved, let him (as I have ſaid before) ſee whether he can tranſlate any School-Divine into any of the modern Tongues, as *French*, *Engliſh*, or any other copious Language : for that which cannot in moſt of theſe be made intelligible, is not intelligible in the *Latin*. Which Inſignificancy of Language, though I cannot note it for falſe Philoſophy; yet it hath a Quality, not only to hide the Truth, but alſo to make Men think they have it, and deſiſt from further Search.

Errors from Tradition.

Laſtly, for the Errors brought in from falſe, or uncertain Hiſtory, what is all the legend fictitious Miracles, in the Lives of the Saints, and all the Hiſtories of Apparitions and Ghoſts, alledged by the Doctors of the *Roman* Church, to make good their Doctrines of Hell, and Purgatory, the Power of Exorciſm, and other Doctrines which have no Warrant, neither in Reaſon, nor Scripture; as alſo all thoſe Traditions which they call the unwritten Word of God; but old Wives Fables ? Whereof, though they find diſperſed ſomewhat in the Writings of the ancient Fathers; yet thoſe Fathers were Men, that might too eaſily believe falſe Reports; and the producing of their Opinions for Teſtimony of the Truth of what they believed, hath no other Force with them that (according to the Counſel of St. *John* 1 *Epiſt.* iv. 1.) examine Spirits, than in all Things that concern the Power of the *Roman* Church, (the Abuſe whereof either they ſuſpected not, or had Benefit by it) to diſcredit their Teſtimony in reſpect of too raſh Belief of Reports; which the moſt ſincere Men, without great Knowledge of natural Cauſes, (ſuch as the Fathers were) are commonly the moſt ſubject to: For naturally, the beſt Men are the leaſt ſuſpicious of fraudulent Purpoſes. *Gregory* the Pope, and St. *Bernard*, have ſomewhat of Apparitions of Ghoſts, that ſaid they were in Purgatory; and ſo has our *Bede*: but no where, I believe, but by Report from others. But if they, or any other, relate any ſuch Stories of their own Knowledge, they ſhall not thereby confirm the more ſuch vain Reports; but diſcover their own Infirmity or Fraud.

Suppreſſion of Reaſon.

With the Introduction of Falſe, we may join alſo the Suppreſſion of True Philoſophy, by ſuch Men as neither by lawful Authority, or ſufficient Study, are competent Judges of the Truth. Our own Navigations make manifeſt, and all Men learned in human Sciences, now acknowledge there are Antipodes: And every Day it appeareth more and more, that Years and Days are determined by Motions of the Earth. Nevertheleſs, Men that have in their Writings but ſuppoſed ſuch Doctrine, as an Occaſion to lay open the Reaſons for, and againſt it, have been puniſhed for it by Authority Eccleſiaſtical. But what Reaſon is there for it? Is it becauſe ſuch Opinions are contrary to true Religion? that cannot be, if they be true. Let therefore the Truth be firſt examined by competent Judges, or confuted by them that pretend to know the contrary. Is it becauſe they be contrary to the Religion eſtabliſhed? Let them be ſilenced by the Laws of thoſe, to whom the Teachers of them are ſubject; that is, by the Laws Civil: For Diſobedience may lawfully be puniſhed in them, that againſt the Laws teach even true Philoſophy. Is it becauſe they tend to Diſorder in Government, as countenancing Rebellion or Sedition? then let them be ſilenced, and the Teachers puniſhed by Virtue of his Power, to whom the Care of the public Quiet is committed; which is the Authority Civil. For whatſoever Power Eccleſiaſtics take upon themſelves, (in any Place where they are ſubject to the State) in their own Right, though they call it God's Right, is but Uſurpation.

CHAP. XLVII.

Of the BENEFIT *that proceedeth from ſuch Darkneſs, and to whom it accrueth.*

He that receiveth Benefit by a Fact, is preſumed to be the Author.

CICERO maketh honourable Mention of one of the *Caſſii*, a ſevere Judge amongſt the *Romans*, for a Cuſtom he had, in criminal Cauſes, (when the Teſtimony of the Witneſſes was not ſufficient) to aſk the Accuſers, *Cui bono*; that is to ſay, what Profit, Honour, or other Contentment, the Accuſed obtained, or expected by the Fact. For amongſt Preſumptions, there is none that ſo evidently declareth the Author, as doth the *Benefit* of the Action. By the ſame Rule I intend in this place to examine, who they may be, that have poſſeſſed the People ſo long in this Part of Chriſtendom, with theſe Doctrines, contrary to the peaceable Societies of Mankind.

That the Church Militant is the Kingdom of God, was firſt taught by the Church of Rome.

And firſt, to this Error, *that the preſent Church now militant on Earth, is the Kingdom of God*, (that is, the Kingdom of Glory, or the Land of Promiſe; not the Kingdom of Grace, which is but a Promiſe of the Land) are annexed theſe worldly Benefits; Firſt, that the Paſtors, and Teachers of the Church, are entitled thereby, as God's public Miniſters, to a Right of governing the Church; and conſequently (becauſe the Church and Commonwealth are the ſame Perſons) to be Rectors and Governors of the Commonwealth. By this Title it is, that the Pope prevailed with the Subjects of all Chriſtian Princes to believe, that to diſobey him, was to diſobey Chriſt himſelf; and in all Differences between him and other Princes, (charmed with the Word *Power Spiritual)* to abandon their lawful Sovereigns; which is in Effect an univerſal Monarchy over all Chriſtendom. For though they were firſt inveſted in the Right of being ſupreme Teachers of Chriſtian Doctrine, by and under Chriſtian Emperors, within the Limits of the *Roman* Empire, (as is acknowledged by themſelves) by the Title of *Pontifex Maximus*, who was an Officer ſubject to the Civil State; yet after the Empire was divided, and diſſolved, it was not hard to obtrude upon the People already ſubject to them, another Title, namely, the Right of St. *Peter*; not only to ſave intire their pretended Power; but alſo to extend the ſame over the ſame Chriſtian Provinces, though no more united in the Empire of *Rome*. This Benefit of an Univerſal Monarchy, (conſidering the Deſire of Men to bear Rule) is a ſufficient Preſumption, that the Popes that pretended to it, and for a long Time enjoyed it, were the Authors of the Doctrine, by which it was obtained; namely, that the Church now on Earth, is the Kingdom of Chriſt. For that granted, it muſt be underſtood that Chriſt hath ſome Lieutenant amongſt us, by whom we are to be told what are his Commandments.

After that certain Churches had renounced this Univerſal Power of the Pope, one would expect in reaſon, that the Civil Sovereigns in all thoſe Churches, ſhould have recovered ſo much of it, as (before they had unadviſedly let it go) was their own Right, and in their own Hands. And in *England* it was ſo in effect; ſaving that they, by whom the Kings adminiſtered the Government of Religion, by maintaining their Employment to be in God's Right, ſeemed to uſurp, if not a Supremacy, yet an Independency on the Civil Power: and they but ſeemed to uſurp it, inaſmuch as they acknowledged a Right in the King, to deprive them of the Exerciſe of their Functions at his Pleaſure.

And maintained alſo by the Preſbytery.

But in thoſe Places where the Preſbytery took that Office, though many other Doctrines of the Church of *Rome* were forbidden to be taught; yet this Doctrine, that the Kingdom of Chriſt is already come, and that it began at the Reſurrection of our Saviour, was ſtill retained. But *cui bono?* What Profit did they expect from it? The ſame which the Popes expected: to have a Sovereign Power over the People. For what is it for Men to excommunicate their lawful King, but to keep him from all Places of God's public Service in his own Kingdom? and with Force to reſiſt him, when he with Force endeavoureth to correct them? Or what is it, without Authority from the Civil Sovereign, to excommunicate any Perſon, but to take from him his lawful Liberty, that is, to uſurp an unlawful Power over their Brethren? The Authors therefore of this Darkneſs in Religion, are the *Roman* and the *Preſbyterian* Clergy.

Infallibility.

To this Head, I refer alſo all thoſe Doctrines, that ſerve them to keep the Poſſeſſion of this ſpiritual Sovereignty after it is gotten. As firſt, that the *Pope in his public Capacity cannot err.* For who is there, that believing this to be true, will not readily obey him in whatſoever he commands?

Subjection of Biſhops.

Secondly, that all other Biſhops, in what Commonwealth ſoever, have not their Right, neither immediately from God, nor mediately from their Civil Sovereigns, but from the Pope, is a Doctrine, by which there comes to be, in every Chriſtian Commonwealth, many potent Men (for ſo are Biſhops) that have their Dependence on the Pope, and owe Obedience to him, though he be a foreign Prince; by which means he is able (as he hath done many times) to raiſe a Civil War againſt the State, that ſubmits not itſelf to be governed according to his Pleaſure and Intereſt.

Exemptions of the Clergy.

Thirdly, the Exemption of theſe, and of all other Prieſts, and of all Monks and Friars, from the Power of the Civil Laws. For by this Means, there is a great part of every Commonwealth, that enjoy the Benefit of the Laws, and are protected by the Power of the Civil State, which nevertheleſs pay no part of the public Expence; are not liable to the Penalties, as other Subjects, due to their Crimes; and conſequently, ſtand not in fear of any Man, but the Pope; and adhere to him only, to uphold his univerſal Monarchy.

The Names of *Sacerdotes*, and Sacrificers.

Fourthly, the giving to their Prieſts, (which is no more in the New Teſtament but Preſbyters, that is, Elders) the Name of *Sacerdotes*, that is, Sacrificers, which was the Title of the Civil Sovereign, and his public Miniſters, among the *Jews*, whilſt God was their King. Alſo, the making the Lord's Supper a Sacrifice, ſerveth to make the People believe the Pope hath the ſame Power over all Chriſtians, that *Moſes* and *Aaron* had over the *Jews*; that is to ſay, all Power, both Civil and Eccleſiaſtical, as the High Prieſt then had.

The Sacramentation of Marriage.

Fifthly, the teaching that Matrimony is a Sacrament, giveth to the Clergy the Judging of the Lawfulneſs of Marriages; and thereby, of what Children are legitimate; and conſequently, of the Right of Succeſſion to hereditary Kingdoms.

The ſingle Life of Prieſts.

Sixthly, the Denial of Marriage to Prieſts, ſerveth to aſſure this Power of the Pope over Kings. For if a King be a Prieſt, he cannot marry, and tranſmit his Kingdom to his Poſterity: If he be not a Prieſt, then the Pope pretendeth this Authority Eccleſiaſtical over him, and over his People.

Auricular Confeſſion.

Seventhly, from Auricular Confeſſion, they obtain, for the Aſſurance of their Power, better Intelligence of the Deſigns of Princes, and great Perſons in the Civil State, than theſe can have of the Deſigns of the State Eccleſiaſtical.

Canonization of Saints, and declaring of Martyrs.

Eighthly, by the Canonization of Saints, and declaring who are Martyrs, they aſſure their Power, in that they induce ſimple Men into an Obſtinacy againſt the Laws and Commands of their Civil Sovereigns even to Death, if by the Pope's Excommunication, they be declared Heretics or Enemies to the Church; that is, (as they interpret it,) to the Pope.

Tranſubſtantiation, Penance, Abſolution.

Ninthly, they aſſure the ſame, by the Power they aſcribe to every Prieſt, of making Chriſt; and by the Power of ordaining Penance; and of Remitting, and Retaining of Sins.

Purgatory, Indulgences, external Works.

Tenthly, by the Doctrine of Purgatory, of Juſtification by external Works, and of Indulgences, the Clergy is enriched.

Dæmonology and Exorciſm.

Eleventhly, by their Dæmonology, and the Uſe of Exorciſm, and other Things appertaining thereto, they keep (or think they keep) the People more in Awe of their Power.

School Divinity.

Laſtly, the Metaphyſics, Ethics, and Politics of *Ariſtotle*, the frivolous Diſtinctions, barbarous Terms, and obſcure Language of the Schoolmen, taught in the Univerſities (which have been all erected and regulated by the Pope's Authority) ſerve them to keep theſe Errors from being detected, and to make Men miſtake the *Ignis fatuus* of vain Philoſophy, for the Light of the Goſpel.

The Authors of ſpiritual Darkneſs, who they be.

To theſe, if they ſufficed not, might be added other of their dark Doctrines, the Profit whereof redoundeth manifeſtly to the ſetting up of an unlawful Power over the lawful Sovereigns of Chriſtian People;

or for the ſuſtaining of the ſame, when it is ſet up; or to the worldly Riches, Honour, and Authority of thoſe that ſuſtain it. And therefore by the aforeſaid Rule, of *cui bono*, we may juſtly pronounce for the Authors of all this ſpiritual Darkneſs, the Pope, and *Roman* Clergy, and all thoſe beſides that endeavour to ſettle in the Minds of Men this erroneous Doctrine, that the Church now on Earth, is that Kingdom of God mentioned in the Old and New Teſtament.

But the Emperors, and other Chriſtian Sovereigns, under whoſe Government theſe Errors, and the like Encroachments of Eccleſiaſtics upon their Office, at firſt crept in, to the Diſturbance of their Poſſeſſions, and of the Tranquility of their Subjects, though they ſuffered the ſame for want of Foreſight of the Sequel, and of Inſight into the Deſigns of their Teachers, may nevertheleſs be eſteemed Acceſſaries to their own, and the public Damage: For without their Authority there could at firſt no ſeditious Doctrine have been publicly preached. I ſay they might have hindered the ſame in the Beginning: But when the People were once poſſeſſed by thoſe ſpiritual Men, there was no human Remedy to be applied, that any Man could invent: And for the Remedies that God ſhould provide, who never faileth in his good Time to deſtroy all the Machinations of Men againſt the Truth, we are to attend his good Pleaſure, that ſuffereth many Times the Proſperity of his Enemies, together with their Ambition, to grow to ſuch a Height, as the Violence thereof openeth the Eyes, which the Warineſs of their Predeceſſors had before ſealed up, and makes Men by too much graſping let go all, as *Peter*'s Net was broken, by the Struggling of too great a Multitude of Fiſhes; whereas the Impatience of thoſe that ſtrive to reſiſt ſuch Encroachment, before their Subjects Eyes were opened, did but increaſe the Power they reſiſted. I do not therefore blame the Emperor *Frederick* for holding the Stirrop to our Countryman Pope *Adrian*; for ſuch was the Diſpoſition of his Subjects then, as if he had not done it, he was not likely to have ſucceeded in the Empire: But I blame thoſe, that in the Beginning, when their Power was entire, by ſuffering ſuch Doctrines to be forged in the Univerſities of their own Dominions, have holden the Stirrop to all the ſucceeding Popes, whilſt they mounted into the Thrones of all Chriſtian Sovereigns, to ride, and tire, both them, and their People, at their Pleaſure.

But as the Inventions of Men are woven, ſo alſo are they ravelled out; the Way is the ſame, but the Order is inverted: The Web begins at the firſt Elements of Power; which are Wiſdom, Humility, Sincerity, and other Virtues of the Apoſtles, whom the People when converted, obeyed, out of Reverence, not by Obligation: Their Conſciences were free, and their Words and Actions ſubject to none but the Civil Power. Afterwards the Preſbyters, as the Flocks of *Chriſt* increaſed, aſſembling to conſider what they ſhould teach, and thereby obliging themſelves to teach nothing againſt the Decrees of their Aſſemblies, made it to be thought the People were thereby obliged to follow their Doctrine, and when they refuſed, refuſed to keep them Company, (that was then called Excommunication) not as being Infidels, but as being diſobedient: And this was the firſt Knot upon their Liberty. And the Number of Preſbyters increaſing, the Preſbyters of the chief City or Province, got themſelves an Authority over the parochial Preſbyters, and appropriated to themſelves the Names of Biſhops: And this was a ſecond Knot on Chriſtian Liberty. Laſtly, the Biſhop of *Rome*, in regard of the imperial City, took upon him an Authority (partly by the Wills of the Emperors themſelves, and by the Title of *Pontifex Maximus*, and at laſt when the Emperors were grown weak, by the Privileges of St.

Peter) over all other Biſhops of the Empire: which was the third and laſt Knot, and the whole *Syntheſis* and *Conſtruction* of the Pontifical Power.

And therefore the *Analyſis*, or *Reſolution*, is by the ſame Way; but beginneth with the Knot that was laſt tied; as we may ſee in the Diſſolution of the præterpolitical Church Government in *England*. Firſt, the Power of the Popes was diſſolved totally by Queen *Elizabeth*; and the Biſhops, who before exerciſed their Functions in Right of the Pope, did afterwards exerciſe the ſame in Right of the Queen and her Succeſſors; though by retaining the Phraſe of *Jure Divino*, they were thought to demand it by immediate Right from God: And ſo was untied the firſt Knot. After this, the *Preſbyterians* lately in *England* obtained the putting down of Epiſcopacy: and ſo was the ſecond Knot diſſolved: and almoſt at the ſame time, the Power was alſo taken from the *Preſbyterians:* and ſo we are reduced to the Independency of the Primitive Chriſtians to follow *Paul*, or *Cephas*, or *Apollos*, every Man as he liketh beſt: Which, if it be without Contention, and without meaſuring the Doctrine of Chriſt, by our Affection to the Perſon of his Miniſter, (the Fault which the Apoſtle reprehended in the *Corinthians)* is perhaps the beſt: Firſt, becauſe there ought to be no Power over the Conſciences of Men, but of the Word itſelf, working Faith in every one, not always according to the Purpoſe of them that plant and water, but of God himſelf, that giveth the Increaſe: and ſecondly, becauſe it is unreaſonable in them, who teach there is ſuch Danger in every little Error, to require a Man endued with Reaſon of his own, to follow the Reaſon of any other Man, or the moſt Voices of many other Men; which is little better than to venture his Salvation at Croſs and Pile. Nor ought thoſe Teachers to be diſpleaſed with the Loſs of their ancient Authority: For there is none ſhould know better than they, that Power is preſerved by the ſame Virtues by which it is acquired; that is to ſay, by Wiſdom, Humility, Clearneſs of Doctrine, and Sincerity of Converſation; and not by Suppreſſion of the Natural Sciences, and of the Morality of Natural Reaſon; nor by obſcure Language; nor by arrogating to themſelves more Knowledge than they make appear; nor by pious Frauds; nor by ſuch other Faults, as in the Paſtors of God's Church are not only Faults, but alſo Scandals, apt to make Men ſtumble one time or other upon the Suppreſſion of their Authority.

Compariſon of the Papacy with the Kingdom of Fairies.

But after this Doctrine, *that the Church now Militant, is the Kingdom of God ſpoken of in the Old and New Teſtament*, was received in the World; the Ambition, and canvaſſing for the Offices that belong thereunto, and eſpecially for that great Office of being Chriſt's Lieutenant, and the Pomp of them that obtained therein the principal public Charges, became by Degrees ſo evident, that they loſt the inward Reverence due to the Paſtoral Function: inſomuch as the wiſeſt Men, of them that had any Power in the Civil State, needed nothing but the Authority of their Princes, to deny them any further Obedience. For, from the time that the Biſhop of *Rome* had gotten to be acknowledged for Biſhop Univerſal, by Pretence of Succeſſion to St. *Peter*, their whole Hierarchy, or Kingdom of Darkneſs, may be compared not unfitly to the *Kingdom of Fairies*; that is, to the old Wives *Fables* in *England*, concerning *Ghoſts* and *Spirits*, and the Feats they play in the Night. And if a Man conſider the Original of this great Eccleſiaſtical Dominion, he will eaſily perceive, that the *Papacy* is no other, than the *Ghoſt* of the deceaſed *Roman Empire*, ſitting crowned upon the Grave thereof: For ſo did the Papacy ſtart up on a ſudden out of the Ruins of that Heathen Power.

The *Language* alſo, which they uſe both in the Churches, and in their public Acts, being *Latin*, which is not commonly uſed by any Nation in the World, what is it but the *Ghoſt* of the old *Roman Language?*

The *Fairies* in what Nation ſoever they converſe, have but one Univerſal King, which ſome Poets of ours call King *Oberon*; but the Scripture calls *Beelzebub*, Prince of *Dæmons*. The *Eccleſiaſtics* likewiſe, in whoſe Dominions ſoever they be found, acknowledge but one Univerſal King, the *Pope*.

The *Eccleſiaſtics* are *Spiritual* Men, and *Ghoſtly* Fathers. The *Fairies* are *Spirits*, and *Ghoſts*. *Fairies* and *Ghoſts* inhabit Darkneſs, Solitudes, and Graves. The *Eccleſiaſtics* walk in Obſcurity of Doctrine, in Monaſteries, Churches, and Church-yards.

The *Eccleſiaſtics* have their Cathedral Churches; which, in what Town ſoever they be erected, by Virtue of the Holy Water, and certain Charms called Exorciſms, have the Power to make thoſe Towns, Cities, that is to ſay, Seats of Empire. The *Fairies* alſo have their enchanted Caſtles, and certain gigantic Ghoſts, that domineer over the Regions round about them.

The *Fairies* are not be ſeized on, and brought to anſwer for the Hurt they do. So alſo the *Eccleſiaſtics* vaniſh away from the Tribunals of Civil Juſtice.

The *Eccleſiaſtics* take from young Men the Uſe of Reaſon, by certain Charms compounded of Metaphyſics, and Miracles, and Traditions, and abuſed Scripture, whereby they are good for nothing elſe, but to execute what they command them. The *Fairies* likewiſe are ſaid to take young Children out of their Cradles, and to change them into natural Fools, which common People do therefore call *Elves*, and are apt to do Miſchief.

In what Shop, or Operatory, the *Fairies* make their Enchantment, the old Wives have not determined. But the Operatories of the *Clergy*, are well enough known to be the Univerſities, that received their Diſcipline from Authority Pontifical.

When the *Fairies* are diſpleaſed with any Body, they are ſaid to ſend Elves to pinch them. The *Eccleſiaſtics*, when they are diſpleaſed with any Civil State, make alſo their Elves, that is, ſuperſtitious, enchanted Subjects, to pinch their Princes, by preaching Sedition; or one Prince enchanted with Promiſes, to pinch another.

The *Fairies* marry not; but there be amongſt them *Incubi*, that have Copulation with Fleſh and Blood. The *Prieſts* alſo marry not.

The *Eccleſiaſtics* take the Cream of the Land, by Donations of ignorant Men, that ſtand in Awe of them, and by Tythes: So alſo it is in the Fable of *Fairies*, that they enter into the Dairies, and feaſt upon the Cream, which they ſkim from the Milk.

What Kind of Money is current in the Kingdom of *Fairies*, is not recorded in the Story. But the *Eccleſiaſtics* in their Receipts accept of the ſame Money that we do; though when they are to make any Payment, it is Canonizations, Indulgences, and Maſſes.

To this, and ſuch like Reſemblances between the *Papacy* and the Kingdom of *Fairies*, may be added this, that as the *Fairies* have no Exiſtence, but in the Fancies of ignorant People, riſing from the Traditions of old Wives or old Poets: ſo the ſpiritual Power of the *Pope*, (without the Bounds of his own Civil Dominion) conſiſteth only in the Fear that ſeduced People ſtand in, of their Excommumications; upon hearing of falſe Miracles, falſe Traditions, and falſe Interpretations of the Scripture.

It was not therefore a very difficult Matter for *Henry* VIIIth by his Exorciſm; nor for Queen *Elizabeth* by hers, to caſt them out. But who knows that this Spirit of *Rome*, now gone out, and walking by Miſſions through the dry Places of *China*, *Japan*, and the *Indies*, that yield him little Fruit, may not return, or rather an Aſſembly of Spirits worſe than he, enter and inhabit this clean ſwept Houſe, and make the End thereof worſe than the Beginning? For it is not the *Roman* Clergy only, that pretends the Kingdom of God to be of this World, and thereby to have a Power therein, diſtinct from that of the Civil State. And this is all I had a Deſign to ſay, concerning the Doctrine of the Politics. Which when I have reviewed, I ſhall willingly expoſe it to the Cenſure of my Country.

A REVIEW *and* CONCLUSION.

FROM the Contrariety of ſome of the natural Faculties of the Mind, one to another, as alſo of one Paſſion to another, and from their Reference to Converſation, there has been an Argument taken, to infer an Impoſſibility that any one Man ſhould be ſufficiently diſpoſed to all Sorts of Civil Duty. The Severity of Judgment, they ſay, makes Men cenſorious, and unapt to pardon the Errors and Infirmities of other Men: and on the other Side, Celerity of Fancy, makes the Thoughts leſs ſteady than is neceſſary to diſcern exactly between Right and Wrong. Again, in all Deliberations, and in all Pleadings, the Faculty of ſolid Reaſoning is neceſſary; for without it, the Reſolutions of Men are raſh, and their Sentences unjuſt: and yet if there be not powerful Eloquence, which procureth Attention and Conſent, the Effect of Reaſon will be little. But theſe are contrary Faculties; the former being grounded upon Principles of Truth; the other upon Opinions already received, true or falſe; and upon the Paſſions and Intereſts of Men, which are different and mutable.

And amongſt the Paſſions, *Courage*, (by which I mean the Contempt of Wounds, and violent Death) inclineth Men to private Revenges, and ſometimes to endeavour the unſettling of the public Peace: And *Timorouſneſs* many times diſpoſeth to the Deſertion of the public Defence. Both theſe, they ſay, cannot ſtand together in the ſame Perſon.

And to conſider the Contrariety of Men's Opinions and Manners in general, it is, they ſay, impoſſible to entertain a conſtant Civil Amity with all thoſe, with whom the Buſineſs of the World conſtrains us to converſe: Which Buſineſs, conſiſteth almoſt in nothing elſe but a perpetual Contention for Honour, Riches, and Authority.

To which I anſwer, that theſe are indeed great Difficulties, but not Impoſſibilities: For by Education and Diſcipline, they may be, and are reconciled. Judgment and Fancy may have Place in the ſame Man; but by Turns; as the End which he aimeth at requireth. As the *Iſraelites* in *Egypt*, were ſometimes faſtened to their Labour of making Bricks, and at other Times were ranging abroad to gather Straw: So alſo may the Judgment ſometimes be fixed upon one certain Conſideration, and the Fancy at another time wandering about the World. So alſo Reaſon, and Eloquence, (though not perhaps in the natural Sciences, yet in the moral) may ſtand very well together. For whereſoever there is place for adorning and preferring of Error, there is much more Place for adorning and preferring of Truth, if they have it to adorn. Nor is there any Repugnancy between fearing the Laws, and not fearing a public Enemy; nor between abſtaining from Injury, and pardoning it in others. There is therefore no ſuch Inconſiſtence of human Nature, with Civil Duties, as ſome think. I have known Clearneſs of Judgment, and Largeneſs of Fancy; Strength of Reaſon, and graceful Elocution; a Courage for the War, and a Fear for the Laws, and all eminently in one Man; and that was my moſt noble and honoured Friend Mr. *Sidney Godolphin*; who hating no Man, nor hated of any, was unfortunately ſlain in the Beginning of the late Civil War, in the public Quarrel, by an undiſcerned and undiſcerning Hand.

To the Laws of Nature, declared in the XVth Chapter, I would have this added, *That every Man is bound by Nature, as much as in him lieth, to protect in War, the Authority by which he is himſelf protected in time of Peace.* For he that pretendeth a Right of Nature to preſerve his own Body, cannot pretend a Right of Nature to deſtroy him, by whoſe Strength he is preſerved: It is a manifeſt Contradiction of himſelf. And though this Law may be drawn by Conſequence, from ſome of thoſe that are there already mentioned; yet the Times require to have it inculcated and remembered.

And becauſe I find by divers *Engliſh* Books lately printed, that the Civil Wars have not yet ſufficiently taught Men, in what Point of Time it is, that a Subject becomes obliged to the Conqueror; nor what is Conqueſt; nor how it comes about, that it obliges Men to obey his Laws: Therefore for farther Satisfaction of Men therein, I ſay, the Point of Time, wherein a Man becomes ſubject to a Conqueror, is that Point, wherein having Liberty to ſubmit to him, he conſenteth, either by expreſs Words, or by other ſufficient Sign, to be his Subject. When it is that a Man hath the Liberty to ſubmit, I have ſhewed before in the End of Chap. XXI. namely, that for him that hath no Obligation to his former Sovereign but that of an ordinary Subject, it is then, when the Means of his Life is within the Guards and Garriſons of the Enemy; for it is then, that he hath no longer Protection from him, but is protected by the adverſe Party for his Contribution. Seeing therefore ſuch Contribution is every where as a Thing inevitable, (notwithſtanding it be an Aſſiſtance to the Enemy) eſteemed lawful; a total Submiſſion, which is but an Aſſiſtance to the Enemy, cannot be eſteemed unlawful. Beſides, if a Man conſider that they who ſubmit, aſſiſt the Enemy but with part of their Eſtates, whereas they that refuſe, aſſiſt him with the whole, there is no Reaſon to call their Submiſſion or Compoſition an Aſſiſtance; but rather a Detriment to the Enemy. But if a Man, beſides the Obligation of a Subject, hath taken upon him a new Obligation of a Soldier, then he hath not the Liberty to ſubmit to a new Power, as long as the old one keeps the Field, and giveth him Means of Subſiſtence, either in his Armies, or Garriſons: for in this Caſe, he cannot complain of want of Protection, and Means to live as a Soldier: But when that alſo fails, a Soldier alſo may ſeek his Protection whereſoever he has moſt Hope to have it; and may lawfully ſubmit himſelf to his new Maſter. And ſo much for the Time when he may do it lawfully, if he will. If therefore he do it, he is undoubtedly bound to be a true Subject: For a Contract lawfully made, cannot lawfully be broken.

By this alſo a Man may underſtand, when it is, that Men may be ſaid to be conquered; and in what the Nature of Conqueſt, and the Right of a Conqueror conſiſteth: For this Submiſſion is it implyeth them all. Conqueſt is not the Victory itſelf; but the Acquiſition by Victory of a Right over the Perſons of Men. He therefore that is ſlain, is overcome, but not conquered: He that is taken, and put into Priſon, or Chains, is not conquered, though overcome; for he is ſtill an Enemy, and may ſave himſelf if he can: But he that upon Promiſe of Obedience, hath his Life and Liberty allowed him, is then conquered, and a Subject; and not before. The *Romans* uſed to ſay, that their General had *pacified* ſuch a *Province*, that is to ſay, in *Engliſh*, *conquered* it; and that the Country was *pacified* by Victory, when the People of it had promiſed *Imperata facere*, that is, *To do what the* Roman *People commanded them*: this was to be conquered. But this Promiſe may be either expreſs or tacit: Expreſs, by Promiſe: Tacit, by other Signs. As for Example, a Man that hath not been called to make ſuch an expreſs Promiſe, (becauſe he is one whoſe Power perhaps is not conſiderable;) yet if he live under their Protection openly, he is underſtood to ſubmit himſelf to the Government: But if he live there ſecretly, he is liable to any thing that may be done to a Spy, and Enemy of the State. I ſay not, he does any Injuſtice, (for Acts of open Hoſtility bear not that Name;) but that he may be juſtly put to Death. Likewiſe, if a Man, when his Country is conquered, be out of it, he is not conquered, nor ſubject: but if at his Return, he ſubmit to the Government, he is bound to obey it. So that *Conqueſt* (to define it) is the acquiring of the Right of Sovereignty by Victory. Which Right is acquired in the People's Submiſſion, by which they contract with the Victor, promiſing Obedience for Life and Liberty.

In Chap. XXIX. I have ſet down for one of the Cauſes of the Diſſolutions of Commonwealths, their imperfect Generation, conſiſting in the want of an abſolute and arbitrary Legiſlative Power; for want whereof, the Civil Sovereign is fain to handle the Sword of Juſtice unconſtantly, and as if it were too hot for him to hold: One Reaſon whereof, which I have not there mentioned, is this, That they will all of them juſtify the War, by which their Power was at firſt gotten, and whereon, as they think, their Right dependeth, and not on the Poſſeſſion. As if, for Example, the Right of the Kings of *England* did depend on the Goodneſs of the Cauſe of *William* the Conqueror, and upon their lineal, and directeſt Deſcent from him; by which means, there would perhaps be no Tie of the Subjects Obedience to their Sovereign at this day in all the World: wherein whilſt they needleſly think to juſtify themſelves, they juſtify all the ſucceſsful Rebellions that Ambition ſhall at any time raiſe againſt them, and their Succeſſors. Therefore I put down for one of the moſt effectual Seeds of the Death of any State, that the Conquerors require not only a Submiſſion of Men's Actions to them for the future, but alſo an Approbation of all their Actions paſt; when there is ſcarce a Commonwealth in the World, whoſe Beginnings can in Conſcience be juſtified.

And becauſe the Name of Tyranny, ſignifieth nothing more, nor leſs, than the Name of Sovereignty, be it in one, or many Men, ſaving that they that uſe the former Word, are underſtood to be angry with them they call Tyrants; I think the Toleration of a profeſſed Hatred of Tyranny, is a Toleration of Hatred to Commonwealth in general, and another evil Seed, not differing much from the former. For to the Juſtification of the Cauſe of a Conqueror, the Reproach of the Cauſe of the Conquered, is for the moſt part neceſſary: but neither of them neceſſary for the Obligation of the Conquered. And thus much I have thought fit to ſay upon the Review of the firſt and ſecond part of this Diſcourſe.

In Chap. XXXV. I have ſufficiently declared out of the Scripture, that in the Commonwealth of the *Jews*, God himſelf was made the Sovereign, by Pact with the People; who were therefore called his *Peculiar People*, to diſtinguiſh them from the reſt of the World, over whom

God reigned not by their Conſent, but by his own Power: And that in this Kingdom *Moſes* was God's Lieutenant on Earth; and that it was he that told them what Laws God appointed them to be ruled by. But I have omitted to ſet down who were the Officers appointed to do Execution; eſpecially in capital Puniſhments; not then thinking it a Matter of ſo neceſſary Conſideration, as I find it ſince. We know that generally in all Commonwealths, the Execution of corporal Puniſhments, was either put upon the Guards, or other Soldiers of the Sovereign Power; or given to thoſe, in whom want of Means, Contempt of Honour, and Hardneſs of Heart, concurred to make them ſue for ſuch an Office. But amongſt the *Iſraelites*, it was a poſitive Law of God their Sovereign, that he that was convicted of a capital Crime, ſhould be ſtoned to Death by the People; and that the Witneſſes ſhould caſt the firſt Stone, and after the Witneſſes, then the reſt of the People. This was a Law that deſigned who were to be the Executioners; but not that any one ſhould throw a Stone at him before Conviction and Sentence, where the Congregation was Judge. The Witneſſes were nevertheleſs to be heard before they proceeded to Execution, unleſs the Fact were committed in the Preſence of the Congregation itſelf, or in Sight of the lawful Judges; for then there needed no other Witneſſes but the Judges themſelves. Nevertheleſs, this manner of proceeding being not thoroughly underſtood, hath given Occaſion to a dangerous Opinion, that any Man may kill another, in ſome Caſes, by a Right of Zeal; as if the Executions done upon Offenders in the Kingdom of God in old time, proceeded not from the Sovereign Command, but from the Authority of private Zeal: which, if we conſider the Texts that ſeem to favour it, is quite contrary.

Firſt, where the *Levites* fell upon the People, that had made and worſhipped the Golden Calf, and ſlew three thouſand of them; it was by the Commandment of *Moſes*, from the Mouth of God; as is manifeſt, *Exod.* xxxii. 27. And when the Son of a Woman of *Iſrael* had blaſphemed God, they that heard it did not kill him, but brought him before *Moſes*, who put him under Cuſtody, till God ſhould give Sentence againſt him; as appears, *Levit.* xxv. 11, 12. Again, *Numb.* xxv, 6, 7. when *Phinehas* killed *Zimri* and *Coſbi*, it was not by Right of private Zeal: Their Crime was committed in the Sight of the Aſſembly; there needed no Witneſs; the Law was known, and he the Heir apparent to the Sovereignty; and which is the principal Point, the Lawfulneſs of his Act depended wholly upon a ſubſequent Ratification by *Moſes*, whereof he had no Cauſe to doubt. And this Preſumption of a future Ratification, is ſometimes neceſſary to the Safety of a Commonwealth; as in a ſudden Rebellion, any Man that can ſuppreſs it by his own Power in the Country where it begins, without expreſs Law or Commiſſion, may lawfully do it, and provide to have it ratified, or pardoned, whilſt it is in doing, or after it is done. Alſo, *Numb.* xxxv. 30. it is expreſly ſaid, *Whoſoever ſhall kill the Murderer, ſhall kill him upon the Word of Witneſſes:* but Witneſſes ſuppoſe a formal Judicature, and conſequently condemn that Pretence of *Jus Zelotarum*. The Law of *Moſes* concerning him that enticeth to Idolatry, (that is to ſay, in the Kingdom of God, to a renouncing of his Allegiance, *Deut.* xiii. 8.) forbids to conceal him, and commands the Accuſer to cauſe him to be put to Death, and to caſt the firſt Stone at him; but not to kill him before he be condemned. And, *Deut.* xvii. 4, 5, 6. the Proceſs againſt Idolatry is exactly ſet down: For God there ſpeaketh to the People, as Judge, and commandeth them, when a Man is accuſed of Idolatry, to enquire diligently of the Fact, and finding it true, then to ſtone him; but ſtill the Hand of the Witneſs throweth the firſt Stone. This is not private Zeal, but public Condemnation. In like manner when a Father hath a rebellious Son, the Law is, *Deut.* xxi. 18. that he ſhall bring him before the Judges of the Town, and all the People of the Town ſhall ſtone him. Laſtly, by Pretence of theſe Laws it was, that St. *Stephen* was ſtoned, and not by Pretence of private Zeal: for before he was carried away to Execution, he had pleaded his Cauſe before the High Prieſt. There is nothing in all this, nor in any other part of the Bible, to countenance Executions by private Zeal; which being oftentimes but a Conjunction of Ignorance and Paſſion, is againſt both the Juſtice and Peace of a Commonwealth.

In Chap. XXXVI. I have ſaid, that it is not declared in what manner God ſpake ſupernaturally to *Moſes*: Not that he ſpake not to him ſometimes by Dreams and Viſions, and by a ſupernatural Voice, as to other Prophets: For the manner how he ſpake unto him from the Mercy-ſeat, is expreſly ſet down *Numb.* vii. 89. in theſe Words, *From that time forward, when Moſes entered into the Tabernacle of the Congregation to ſpeak with God, he heard a Voice which ſpake unto him from over the Mercy-ſeat, which is over the Ark of the Teſtimony, from between the Cherubims he ſpake unto him.* But it is not declared in what conſiſted the Præeminence of the manner of God's ſpeaking to *Moſes*, above that of his ſpeaking to other Prophets, as to *Samuel*, and to *Abraham*, to whom he alſo ſpake by a Voice, (that is, by Viſion) unleſs the Difference conſiſt in the Clearneſs of the Viſion. For *Face to Face*, and *Mouth to Mouth*, cannot be literally underſtood of the Infiniteneſs, and Incomprehenſibility of the Divine Nature.

And as to the whole Doctrine, I ſee not yet, but the Principles of it are true and proper: and the Ratiocination ſolid. For I ground the Civil Right of Sovereigns, and both the Duty and Liberty of Subjects, upon the known natural Inclinations of Mankind, and upon the Articles of the Law of Nature; of which no Man that pretends but Reaſon enough to govern his private Family, ought to be ignorant. And for the Power Eccleſiaſtical of the ſame Sovereigns, I ground it on ſuch Texts, as are both evident in themſelves, and conſonant to the Scope of the whole Scripture. And therefore am perſuaded, that he that ſhall read it with a Purpoſe only to be informed, ſhall be informed by it. But for thoſe that by Writing, or public Diſcourſe, or by their eminent Actions, have already engaged themſelves to the maintaining of contrary Opinions, they will not be ſo eaſily ſatisfied. For in ſuch Caſes, it is natural for Men, at one and the ſame time, both to proceed in Reading, and to loſe their Attention, in the Search of Objections to that they had read before: of which, in a Time wherein the Intereſts of Men are changed (ſeeing much of that Doctrine, which ſerveth to the eſtabliſhing of a new Government, muſt needs be contrary to that which conduced to the Diſſolution of the old) there cannot chuſe but be very many.

In that Part which treateth of a Chriſtian Commonwealth, there are ſome new Doctrines, which it may be, in a State where the contrary were already fully determined, were a Fault for a Subject without Leave to divulge, as being an Uſurpation of the Place of a Teacher. But in this Time, that Men call not only for Peace, but alſo for Truth, to offer ſuch Doctrines as I think true, and that maniſeſtly tend to Peace and Loyalty, to the Conſideration of thoſe that are yet in Deliberation, is no more, but to offer new Wine, to be put into new Caſks, that both may be preſerved together. And I ſuppoſe, that then, when Novelty can breed no Trouble, nor Diſorder in a State, Men are not generally ſo much inclined to the Reverence of Antiquity, as to prefer ancient Errors before new and well-proved Truth.

There is nothing I diſtruſt more than my Elocution; which nevertheleſs I am confident (excepting the Miſchances of the Preſs) is not obſcure. That I have neglected the Ornament of quoting ancient Poets, Orators, and Philoſophers, contrary to the Cuſtom of late Time, (whether I have done well or ill in it) proceedeth from my Judgment, grounded on many Reaſons. For firſt, all Truth of Doctrine dependeth either upon *Reaſon*, or upon *Scripture*; both which give Credit to many, but never receive it from any Writer. Secondly, the Matters in Queſtion are not of *Fact*, but of *Right*, where there is no Place for *Witneſſes*. Thirdly, there is ſcarce any of thoſe old Writers, that contradicteth not ſometimes both himſelf and others; which makes their Teſtimonies inſufficient. Fourthly, ſuch Opinions as are taken only upon Credit of Antiquity, are not intrinſically the Judgment of thoſe that cite them, but Words that paſs (like gaping) from Mouth to Mouth. Fifthly, it is many times with a fraudulent Deſign that Men ſtick their corrupt Doctrine with the Cloves of other Men's Wit. Sixthly, I find not that the Ancients they cite, took it for an Ornament, to do the like with thoſe that wrote before them. Seventhly, it is an Argument of Indigeſtion; when the *Greek* and *Latin* Sentences unchewed come up again, as they uſe to do, unchanged. Laſtly, though I reverence thoſe Men of ancient Time, that either have written Truth perſpicuouſly, or ſet us in a better Way to find it out ourſelves; yet to the Antiquity itſelf I find nothing due: For if we will reverence the Age, the preſent is the oldeſt: if the Antiquity of the Writer, I am not ſure, that generally they to whom ſuch Honour is given, were more ancient when they wrote, than I am that am writing. But if it be well conſidered, the Praiſe of ancient Authors, proceeds not from the Reverence of the Dead, but from the Competition, and mutual Envy of the Living.

To conclude, there is nothing in this whole Diſcourſe, nor in that I writ before of the ſame Subject in *Latin*, as far as I can perceive, contrary either to the Word of God, or to good Manners; or to the Diſturbance of the public Tranquility. Therefore I think it may be profitably printed, and more profitably taught in the Univerſities, in caſe they alſo think ſo, to whom the Judgment of the ſame belongeth. For ſeeing the Univerſities are the Fountains of Civil and Moral Doctrine, from whence the Preachers, and the Gentry, drawing ſuch Water as they find, uſe to ſprinkle the ſame (both from the Pulpit, and in their Converſation) upon the People, there ought certainly to be great Care taken, to have it pure, both from the Venom of heathen Politicians, and from the Incantation of deceiving Spirits. And by that Means the moſt Men, knowing their Duties, will be leſs ſubject to ſerve the Ambition of a few diſcontented Perſons in their Purpoſes againſt the State; and be the leſs grieved with the Contributions neceſſary for their Peace and Defence, and the Governors themſelves have the leſs Cauſe to maintain at the common Charge any greater Army, than is neceſſary to make good the public Liberty, againſt the Invaſions and Encroachments of foreign Enemies.

And thus I have brought to an End my Diſcourſe of Civil and Eccleſiaſtical Government, occaſioned by the Diſorders of the preſent Time, without Partiality, without Application, and without other Deſign, than to ſet before Men's Eyes the mutual Relation between Protection and Obedience; of which the Condition of Human Nature, and the Laws

Divine, (both Natural and Poſitive) require an inviolable Obſervation. And though in the Revolution of States, there can be no very good Conſtellation for Truths of this Nature to be born under, (as having an angry Aſpect from the Diſſolvers of an old Government, and ſeeing but the Backs of them that erect a new ;) yet I cannot think it will be condemned at this Time, either by the public Judge of Doctrine, or by any that deſires the Continuance of public Peace. And in this Hope I return to my uninterrupted Speculation of Bodies Natural; wherein (if God give me Health to finiſh it) I hope the Novelty will as much pleaſe, as in the Doctrine of this Artificial Body it uſeth to offend. For ſuch Truth, as oppoſeth no Man's Profit, nor Pleaſure, is to all Men welcome.

AN

ANSWER

TO A

BOOK

Publiſhed by

Dr. *BRAMHALL*,

Late Biſhop of DERRY;

CALLED

The Catching of the *Leviathan*.

Together

With an HISTORICAL NARRATION

Concerning

HERESY,

And the Puniſhment thereof.

TO THE

READER.

AS in all Things which I have written, ſo alſo in this Piece, I have endeavoured all I can to be perſpicuous; but yet your own Attention is always neceſſary. The late Lord Biſhop of Derry *publiſhed a Book called* The Catching of Leviathan, *in which he hath put together divers Sentences pick'd out of my* Leviathan, *which ſtand there plainly and firmly proved, and ſets them down without their Proofs, and without the Order of their Dependance one upon another; and calls them Atheiſm, Blaſphemy, Impiety, Subverſion of Religion, and by other Names of that Kind. My Requeſt unto you is, That when he cites my Words for erroneous, you will be pleaſed to turn to the Place itſelf, and ſee whether they be well proved, and how to be underſtood. Which Labour his Lordſhip might have ſaved you, if he would have vouchſafed, as well to have weighed my Arguments before you, as to have ſhewed you my Concluſions. His Book containeth two Chapters, the one concerning Religion, the other concerning Politics. Becauſe he does not ſo much as offer any Refutation of any thing in my* Leviathan *concluded, I needed not to have anſwered either of them. Yet to the firſt I here anſwer, becauſe the Words* Atheiſm, Impiety, *and the like, are Words of the greateſt Defamation poſſible. And this I had done ſooner, if I had ſooner known that ſuch a Book was extant. He wrote it ten Years ſince, and yet I never heard of it till about three Months ſince; ſo little Talk there was of his Lordſhip's Writings. If you want Leiſure or Care of the Queſtions between us, I pray you condemn me not upon Report. To judge and not examine is not juſt.*

Farewell.

T. HOBBES.

AN ANSWER TO Dr. BRAMHALL, late Biſhop of *Derry*.

CHAP. I.

That the Hobbian *Principles are deſtructive to Chriſtianity and all Religion.*

J. D. THE Image of God is not altogether defaced by the Fall of Man, but that there will remain ſome practical Notions of God and Goodneſs; which, when the Mind is free from vagrant Deſires, and violent Paſſions, do ſhine as clearly in the Heart, as other ſpeculative Notions do in the Head. Hence it is, that there was never any Nation ſo barbarous or ſavage throughout the whole World, which had not their God. They who did never wear Cloaths upon their Backs, who did never know Magiſtrate but their Father, yet have their God, and their religious Rites and Devotions to him. Hence it is, that the greateſt Atheiſts in any ſudden Danger do unwittingly caſt their Eyes up to Heaven, as craving Aid from thence, and in a Thunder creep into ſome Hole to hide themſelves. And they who are conſcious to themſelves of any ſecret Crimes, though they be ſecure enough from the Juſtice of Men, do yet feel the blind Blows of a guilty Conſcience, and fear divine Vengeance. This is acknowledged by *T. H.* himſelf in his lucid Intervals. *That we may know what Worſhip of God natural Reaſon doth aſſign, let us begin with his Attributes, where it is manifeſt in the firſt Place, that Exiſtency is to be attributed to him.* To which he addeth, *Infiniteneſs*, *Incomprehenſibility*, *Unity*, *Ubiquity*. Thus for Attributes, next for Actions. *Concerning external Actions, wherewith God is to be worſhipped, the moſt general Precept of Reaſon is, that they be Signs of Honour*, under which are contained *Prayers*, *Thankſgivings*, *Oblations*, and *Sacrifices*.

T. H. Hitherto his Lordſhip diſcharges me from Atheiſm. What need he to ſay that *All Nations, how barbarous ſoever, yet have their Gods and religious Rites, and Atheiſts are frighted with Thunder, and feel the Blows of Conſcience?* It might have been as apt a Preface to any other of his Diſcourſes as this. I expect therefore in the next Place to be told, that I deny again my afore-recited Doctrine.

J. D. Yet to let us ſee how inconſiſtent and irreconcileable he is with himſelf, elſewhere reckoning up all the Laws of Nature at large, even twenty in Number, he hath not one Word that concerneth Religion, or hath the leaſt Relation in the World to God. As if a Man were like the Colt of a wild Aſs in the Wilderneſs, without any Owner or Obligation. Thus in deſcribing the Laws of Nature, this great Clerk forgetteth the God of Nature, and the main and principal Laws of Nature, which contain a Man's Duty to his God, and the principal End of his Creation.

T. H. After I had ended the Diſcourſe he mentions of the Laws of Nature, I thought it fitteſt in the laſt place, once for all, to ſay they were the Laws of God, then when they were delivered in the Word of God; but before, being not known by Men for any thing but their own natural Reaſon, they were but Theorems, tending to Peace, and thoſe uncertain, as being but Concluſions of particular Men, and therefore not properly Laws. Beſides, I had formerly in my Book *De Cive, Cap.* IV. proved them ſeverally, one by one, out of the Scriptures; which his Lordſhip had read and knew. 'Twas therefore an unjuſt Charge of his to ſay, I had not one Word in them that concerns Religion, or that hath the leaſt relation in the World to God; and this upon no other Ground than that I added not to every Article, *This Law is in the Scripture*. But why he ſhould call me (ironically) a great Clerk, I cannot tell. I ſuppoſe he would make Men believe, I arrogated to myſelf all the Learning of a great Clerk, Biſhop, or other inferior Miniſter. A Learned Biſhop, is that Biſhop that can interpret all parts of Scripture truly, and congruently to the Harmony of the whole; that has learnt the Hiſtory and Laws of the Church, down from the Apoſtles Time to his own; and knows what is the Nature of a Law Civil, Divine, Natural, and Poſitive; and how to govern well the parochial Miniſters of his Dioceſe, ſo that they may both by Doctrine and Example keep the People in the Belief of all Articles of Faith neceſſary to Salvation, and in Obedience to the Laws of their Country. This is a Learned Biſhop. A Learned Miniſter, is he that hath learned the Way by which Men may be drawn from Avarice, Pride, Senſuality, Prophaneneſs, rebellious Principles, and all other Vices, by eloquent and powerful diſgracing them, both from Scripture and from Reaſon; and can terrify Men from Vice, by diſcreet uttering of the Puniſhments denounced againſt wicked Men, and by deducing rationally the Damage they receive by it in the End. In one Word, he is a Learned Miniſter that can preach ſuch Sermons as St. *Chryſoſtom* preached to the *Antiochians*, when he was Preſbyter in that City. Could his Lordſhip find in my Book, that I arrogated to myſelf the Eloquence or Wiſdom of St. *Chryſoſtom*, or the Ability of governing the Church? 'Tis one thing to know what is to be done, another thing to know how to do it. But his Lordſhip was pleaſed to uſe any Artifice to diſgrace me in any kind whatſoever.

J. D. Perhaps he will ſay that he handleth the Laws of Nature there, only ſo far as may ſerve to the Conſtitution or Settlement of a Commonwealth. In good time, let it be ſo. He hath deviſed us a trim Commonwealth, which is founded neither upon Religion towards God, nor Juſtice towards Man; but merely upon Self-intereſt, and Self-preſervation. Thoſe Rays of heavenly Light, thoſe natural Seeds of Religion, which God himſelf hath imprinted in the Heart of Man, are more efficacious towards Preſervation of a Society; whether we regard the Nature of the Thing, or the Bleſſing of God, than all his *Pacts*, and *Surrenders*, and *Tranſlations of Power*. He who unteacheth Men their Duty to God, may make them Eye-ſervants, ſo long as their Intereſt doth oblige them to obey; but is no fit Maſter to teach Men Conſcience and Fidelity.

T. H. He has not yet found the Place where I contradict either the Exiſtence, or Infiniteneſs, or Incomprehenſibility, or Unity, or Ubiquity of God. I am therefore yet abſolved of Atheiſm. But I am, he ſays, inconſiſtent and irreconcileable with myſelf, that is, I am (though he ſays not ſo, he thinks) a forgetful Blockhead. I cannot help that: But my Forgetfulneſs appears not here. Even his Lordſhip, where he ſays, Thoſe Rays of heavenly Light, thoſe Seeds of Religion, which God himſelf hath imprinted in the Heart of Man, (meaning natural Reaſon) are more efficacious to the Preſervation of Society, than all the *Pacts*, *Surrenders*, and *Tranſlating of Power*, had forgotten to except the Old Pact of the *Jews*, and the New Pact of *Chriſtians*. But pardoning that, did he hope to make any wiſe Man believe, that when this Nation very lately was an Anarchy, and diſſolute Multitude of Men, doing every one what his own Reaſon or imprinted Light ſuggeſted, they did again out of the ſame Light call in the King, and piece again, and aſk Pardon for the Faults, which that their Illumination had brought them into, rather than out of Fear of perpetual Danger, and Hope of Preſervation?

J. D. Without Religion, Societies are like but ſoapy Bubbles, quickly diſſolved. It was the Judgment of as wiſe a Man as *T. H.* himſelf (though perhaps he will hardly be perſuaded to it) that *Rome* owed more of its Grandeur to Religion, than either to Strength or Stratagems. *We have not exceeded the* Spaniards *in Number, nor the* Gauls *in Strength, nor the* Carthaginians *in Craft, nor the* Grecians *in Art,* &c. *but we have overcome all Nations by our Piety and Religion.*

T. H. Did not his Lordſhip forget himſelf here again, in approving this Sentence of *Tully*, which makes the Idolatry of the *Romans*, not only better than the Idolatry of other Nations; but alſo better than the Religion of the *Jews*, whoſe Law *Chriſt* himſelf ſays, he came not to deſtroy but to fulfil? And that the *Romans* overcame both them and other Nations by their Piety, when it is manifeſt that the *Romans* overran the World by Injuſtice and Cruelty, and that their Victories ought not to be aſcribed to the Piety of the *Romans*, but to the Impiety as well of the *Jews* as of other Nations? But what meant he by ſaying *Tully* was as wiſe a Man as *T. H.* himſelf, though perhaps he will hardly be perſuaded to it? Was that any part of the Controverſy? No: Then it was out of his Way. God promiſeth to aſſiſt good Men in their Way, but not out of their Way. 'Tis therefore the leſs Wonder that his Lordſhip was in this place deſerted of the Light which God imprints in the Hearts of rudeſt Savages.

J. D. Among his Laws he inſerteth *Gratitude* to Men as the third Precept of the Law of Nature; but of the Gratitude of Mankind to their Creator, there is a deep Silence. If Men had ſprung up from the Earth in a Night, like Muſhroms or Excreſcences, without all Senſe of Honour, Juſtice, Conſcience, or Gratitude, he could not have vilified the human Nature more than he doth.

T. H. My Lord diſcovers here an Ignorance of ſuch Method as is neceſſary for lawful and ſtrict reaſoning, and Explication of the Truth in Controverſy. And not only that, but alſo how little able he is to fix his Mind upon what he reads in other Men's Writings. When I had defined Ingratitude univerſally, he finds Fault that I do not mention Ingratitude towards God, as if his Lordſhip knew not that an Univerſal comprehends all the Particulars. When I had defined Equity univerſally, why did he not as well blame me for not telling what that Equity is in God? He is grateful to the Man of whom he receives a good Turn, that confeſſeth, or maketh appear he is pleaſed with, the Benefit he receiveth. So alſo Gratude towards God is to confeſs his Benefits. There is alſo in Gratitude towards Men a Deſire to requite their Benefits, ſo there is in our Gratitude towards God, ſo far to requite them, as to be kind to God's Miniſters, which I acknowledged in making Sacrifices a part of natural Divine Worſhip; and the Benefit of thoſe Sacrifices is the Nouriſhment of God's Miniſters. It appears therefore, that the Biſhop's Attention in reading my Writings, was either weak in itſelf, or weakened by Prejudice.

J. D. From this ſhameful Omiſſion, or Preterition of the main Duty of Mankind, a Man might eaſily take the Height of *T. H* his Religion. But he himſelf putteth it paſt all Conjectures. His Principles are Brim-full of prodigious Impiety. *In theſe four things, Opinions of Ghoſts, Ignorance of ſecond Cauſes, Devotion to what Men fear, and taking of things caſual for Prognoſtics, conſiſteth the natural Seed of Religion*; the Culture and Improvement whereof, he referreth only to *Policy.* Human and Divine Politics are but Politics. And again, *Mankind hath this from the Conſcience of their own Weakneſs, and the Admiration of natural Events, that the moſt part of Men believe that there is an inviſible God, the Maker of all viſible Things.* And a little after he telleth us, That *Superſtition proceedeth from Fear without right Reaſon, and Atheiſm from an Opinion of Reaſon without Fear*; making Atheiſm to be more reaſonable than Superſtition. What is now become of that Divine Worſhip which natural Reaſon did aſſign unto God, the Honour of

Exiſtence, Infiniteneſs, Incomprehenſibility, Unity, Ubiquity ? What is now become of that Dictate or Precept of Reaſon, concerning *Prayers*, *Thankſgivings*, *Oblations*, *Sacrifices*, if uncertain Opinions, Ignorance, Fear, Miſtakes, the Conſcience of our own Weakneſs, and the Admiration of natural Events, be the only Seeds of Religion ?

He proceedeth further, that *Atheiſm itſelf, though it be an erroneous Opinion, and therefore a Sin, yet it ought to be numbered among the Sins of Imprudence or Ignorance.* He addeth, that *an Atheiſt is puniſhed not as a Subject is puniſhed by his King, becauſe he did not obſerve Laws : but as an Enemy, by an Enemy, becauſe he would not accept Laws.* His Reaſon is, becauſe *the Atheiſt never ſubmitted his Will to the Will of God, whom he never thought to be.* And he concludeth, that Man's Obligation to obey God, proceedeth from his Weakneſs. *Manifeſtum eſt obligationem ad preſtandum ipſi (Deo) obedientiam, incumbere hominibus propter imbecilitatem.* Firſt, it is impoſſible that ſhould be a Sin of mere Ignorance or Imprudence, which is directly contrary to the Light of natural Reaſon. The Laws of Nature need no new Promulgation, being imprinted naturally by God in the Heart of Man. *The Law of Nature was written in our Hearts by the Finger of God, without our Aſſent*; or rather *the Law of Nature is the Aſſent itſelf.* Then if Nature dictate to us that there is a God, and that this God is to be worſhipped in ſuch and ſuch Manner, it is not poſſible that Atheiſm ſhould be a Sin of mere Ignorance.

Secondly, a rebellious Subject is ſtill a Subject, *de Jure*, though not *de Facto*, by Right, though not by Deed : and ſo the moſt curſed Atheiſt that is, ought by Right to be the Subject of God, and ought to be puniſhed not as a juſt Enemy, but as a diſloyal Traitor. Which is confeſſed by himſelf, *This fourth Sin*, (that is, of thoſe who do not by Word and Deed confeſs one God the ſupreme King of Kings) *in the natural Kingdom of God is the Crime of High Treaſon, for it is a Denial of divine Power, or Atheiſm.* Then an Atheiſt is a Traitor to God, and puniſhable as a diſloyal Subject, not as an Enemy.

Laſtly, it is an abſurd and diſhonourable Aſſertion, to make our Obedience to God to depend upon our Weakneſs, becauſe we cannot help it, and not upon our Gratitude, becauſe we owe our Being and Preſervation to him. *Who planteth a Vineyard, and eateth not of the Fruit thereof ? And who feedeth a Flock, and eateth not of the Milk of the Flock ?* And again, *Thou art worthy, O Lord, to receive Glory, and Honour, and Power, for thou haſt created all Things, and for thy Pleaſure they are and were created.* But it were much better, or at leaſt not ſo ill, to be a downright Atheiſt, than to make God to be ſuch a Thing as he doth, and at laſt thruſt him into the Devil's Office, to be the Cauſe of all Sin.

T. H. Though this Biſhop, as I ſaid, had but a weak Attention in Reading, and little Skill in examining the Force of an Argument, yet he knew Men, and the Art, without troubling their Judgments to win their Aſſents by exciting their Paſſions. One Rule of his Art was to give his Reader what he would have him ſwallow apart, by itſelf, and in the Nature of News, whether true or not. Knowing that the unlearned, that is moſt Men, are content to believe, rather than be troubled with examining, therefore (a little before) he put theſe Words *T. H. no Friend to Religion*, in the Margin. And in this Place, before he offers at any Confutation, he ſays my Principles are Brim-full of *prodigious Impieties.* And at the next Paragraph in the Margin, he puts that *I excuſe Atheiſm.* This Behaviour becomes neither a Biſhop, nor a Chriſtian, nor any Man that pretends to good Education. Fear of inviſible Powers, what is it elſe in ſavage People, but the Fear of ſomewhat they think a God ? What inviſible Power does the Reaſon of a ſavage Man ſuggeſt unto him, but thoſe Phantaſms of his Sleep or his Diſtemper, which we frequently call Ghoſts, and the Savages thought Gods ; ſo that the Fear of a God (though not of the true one) to them was the Beginning of Religion, as the Fear of the true God was the Beginning of Wiſdom to the *Jews* and *Chriſtians* ? Ignorance of ſecond Cauſes made Men fly to ſome firſt Cauſe, the Fear of which bred Devotion and Worſhip. The Ignorance of what that Power might do, made them obſerve the Order of what he had done; that they might gueſs by the like Order, what he was to do another Time. This was their Prognoſtication. What prodigious Impiety is here? How confutes he it? Muſt it be taken for Impiety upon his bare Calumny? I ſaid Superſtition was Fear without Reaſon. Is not the Fear of a falſe God, or fancied Dæmon, contrary to right Reaſon? And is not Atheiſm Boldneſs grounded on falſe Reaſoning, ſuch as is this, *the wicked proſper, therefore there is no God?* He offers no Proof againſt any of this; but ſays only I make Atheiſm to be more reaſonable than Superſtition; which is not true: For I deny that there is any Reaſon either in the Atheiſt or in the Superſtitious. And becauſe the Atheiſt thinks he has Reaſon, where he has none, I think him the more irrational of the two. But all this while he argues not againſt any of this; but enquires only, what is become of my natural Worſhip of God, and of his Exiſtency, Infiniteneſs, Incomprehenſibility, Unity, and Ubiquity. As if whatſoever Reaſon can ſuggeſt, muſt be ſuggeſted all at once. Firſt, all Men by Nature had an Opinion of God's Exiſtency, but of his other Attributes not ſo ſoon, but by Reaſoning and by Degrees. And for the Attributes of the true God, they were never ſuggeſted but by the Word of God written. In that I ſay Atheiſm is a Sin of Ignorance, he ſays I excuſe it. The Prophet *David* ſays, *The Fool hath ſaith in his Heart, there is no God.* Is it not then a Sin of Folly? 'Tis agreed between us, that right Reaſon dictates, there is a God. Does it not follow, that denying of God is a Sin proceeding from Miſreaſoning. If it be not a Sin of Ignorance, it muſt be a Sin of Malice. Can a Man malice that which he thinks has no Being? But may not one think there is a God, and yet maliciouſly deny him? If he think there is a God, he is no Atheiſt; and ſo the Queſtion is changed into this, whether any Man that thinks there is a God, dares deliberately deny it? For my part I think not. For upon what Confidence dares any Man (deliberately I ſay) oppoſe the Omnipotent? *David* ſaith of himſelf, *My Feet were ready to ſlip when I ſaw the Proſperity of the wicked.* Therefore it is likely the Feet of Men leſs holy ſlip oftener. But I think no Man living is ſo daring, being out of Paſſion, as to hold it as his Opinion. Thoſe wicked Men that for a long Time proceeded ſo ſucceſsfully in the late horrid Rebellion, may perhaps make ſome think they were conſtant and reſolved Atheiſts, but I think rather that they forgot God than believed there was none. He that believes there is ſuch an Atheiſt, comes a little too near that Opinion himſelf. Nevertheleſs, if Words ſpoken in Paſſion ſignify a Denial of a God, no Puniſhment preordained by Law, can be too great for ſuch an Inſolence; becauſe there is no living in a Commonwealth with Men, to whoſe Oaths we cannot reaſonably give Credit. As to that I ſay, *An Atheiſt is puniſhed by God not as a Subject by his King, but as an Enemy*, and to my Argument for it, namely, *becauſe he never acknowledged himſelf God's Subject*, he oppoſeth, that if Nature dictate that there is a God, and to be worſhipped in ſuch and ſuch Manner, then Atheiſm is not a Sin of mere Ignorance; as if either I or he did hold that Nature dictates the Manner of God's Worſhip, or any Article of our Creed, or whether to worſhip with or without a Surplice. Secondly, he anſwers that a Rebel is ſtill a Subject *de Jure*, though not *de Facto*: And 'tis granted. But though the King loſe none of his Right by the Traitor's Act, yet the Traitor loſeth the Privilege of being puniſhed by a precedent Law; and therefore may be puniſhed at the King's Will, as *Ravillac* was for murdering *Henry* IV. of *France*. An open Enemy and a perfidious Traitor are both Enemies. Had not his Lordſhip read in the *Roman* Hiſtory, how *Perſeus*, and other juſt Enemies of that State, were wont to be puniſhed? But what is this trifling Queſtion to my *excuſing of Atheiſm*? In the ſeventh Paragraph of my Book *de Cive* he found the Words (in *Latin*) which he here citeth. And to the ſame Senſe I have ſaid in my *Leviathan*, that the Right of Nature whereby God reigneth over Men, is to be derived not from his creating them, as if he required Obedience, as of Gratitude; but from his irreſiſtable Power. This he ſays is abſurd and diſhonourable. Whereas firſt all Power is honourable, and the greateſt Power is moſt honourable. Is it not a more noble Tenure for a King to hold his Kingdom, and the Right to puniſh thoſe that tranſgreſs his Laws, from his Power, than from the Gratitude or Gift of the Tranſgreſſor. There is nothing therefore here of Diſhonour to God Almighty. But ſee the Subtilty of his diſputing. He ſaw he could not catch *Leviathan* in this Place; he looks for him in my Book *de Cive*, which is *Latin*, to try what he could fiſh out of that. And ſays I make our Obedience to God, depend upon our Weakneſs, as if theſe Words ſignified the *Dependence*, and not the *Neceſſity* of our Submiſſion, or that *incumbere* and *dependere* were all one.

J. D. For *T. H.* his God is not the God of Chriſtians, nor of any rational Men. Our God is every where, and ſeeing he hath no Parts, he muſt be wholly here, and wholly every where. So Nature itſelf dictateth. *It cannot be ſaid honourably of God that he is in a Place; for nothing is in a Place, but that which hath proper Bounds of its Greatneſs.* But *T. H.* his God is not wholly every where. *No Man can conceive that any thing is all in this Place, and all in another Place at the ſame Time, for none of theſe Things ever have or can be incident to Senſe.* So far well, if by conceiving he mean comprehending; but then follows, *That theſe are abſurd Speeches taken upon Credit, without any Signification at all, from deceived Philoſophers, and deceived or deceiving Schoolmen.* Thus he denieth the Ubiquity of God. A Circumſpective, a Definitive, and a Repletive being in a Place, is ſome Heathen Language to him.

T. H. Though I believe the Omnipotence of God, and that he can do what he will, yet I dare not ſay how every thing is done, becauſe I cannot conceive nor comprehend either the divine Subſtance, or the Way of its Operation. And I think it Impiety to ſpeak concerning God any thing of my own Head, or upon the Authority of Philoſophers or Schoolmen, which I underſtand not, without Warrant in the Scripture: And what I ſay of Omnipotence, I ſay alſo of Ubiquity. But his Lordſhip is more valiant in this Place, telling us that God is *wholly here*, and *wholly there*, and *wholly every where*; becauſe he has no Parts. I cannot comprehend nor conceive this. For methinks it implies alſo that the whole World is alſo in the whole God, and in every Part of God, nor can I conceive how any thing can be called *Whole*, which has no Parts, nor can I find any thing of this in the Scripture. If I could find it there, I could believe it; and if I could find it in the publick Doctrine of the Church, I could eaſily abſtain from contradicting it. The Schoolmen ſay alſo, that the Soul of Man (meaning his upper Soul, which they call the rational Soul) is alſo *wholly* in *the whole Man*, and wholly in every Part of the Man. What is this but to make the human Soul the ſame thing in reſpect of Man's Body, that God is in reſpect of the World? Theſe his Lordſhip calls here rational Men, and ſome of them which applaud this Doctrine, would have the High Court of Parliament corroborate ſuch Doctrines with a Law. I ſaid in my *Leviathan*, that it is no honourable Attribute to God, to ſay he is *in a Place*, becauſe, Infinity is not confined within a Place. To which he replies, *T. H. his God is not wholly every where.* I confeſs the Conſequence. For I underſtand in *Engliſh*, he that ſays any thing to be *all here*, means that *neither all, nor any of the ſame thing is elſewhere.* He ſays further, I take a *Circumſcriptive, a Definitive, and a Repletive* being in a Place, to be Heathen Language. Truly, if this Diſpute were at the Bar, I ſhould go near to crave the Aſſiſtance of the Court, leſt ſome Trick might be put upon me in ſuch Obſcurity. For though I know what theſe *Latin* Words ſingly ſignify, yet I underſtand not how any thing is in a *Place definitively* and not *circumſcriptively.* For *definitively* comes from *definio*, which is to ſet Bounds. And therefore to be in a Place definitively, is when the Bounds of the *Place* are every way marked out. But to be in a Place circumſcriptively, is when the Bounds of the Place are deſcribed round about. To be in a Place repletively, is to fill a Place. Who does not ſee that this Diſtinction is Canting and Fraud? If any Man will call it pious Fraud, he is to prove the Piety as clearly as I have here explained the Fraud. Beſides, no Fraud can be pious in any Man, but him that hath a lawful Right to govern him whom he beguileth; whom the Biſhop pretends to govern, I cannot tell. Beſides his Lordſhip ought to have conſidered, that every Biſhop is one of the great Council, truſted by the King to give their Advice with the Lords Temporal, for the making of good Laws, Civil and Eccleſiaſtical, and not to offer them ſuch obſcure Doctrines, as if, becauſe they are not verſed in School Divinity, therefore they had no Learning at all, nor underſtood the *Engliſh* Tongue. Why did the Divines of *England* contend ſo much heretofore to have the Bible tranſlated into *Engliſh*, if they never meant any but themſelves ſhould read it? If a Layman be publicly encouraged to ſearch the Scriptures for his own Salvation, what has a Divine to do to impoſe upon him any ſtrange Interpretation, unleſs if he make him err to Damnation, he will be damned in his Stead?

J. D. Our God is immutable without any Shadow of turning by Change, to whom all things are preſent, nothing paſt, nothing to come. But *T. H.* his God is meaſured by Time, loſing ſomething that is paſt, and acquiring ſomething that doth come every Minute. That is as much as to ſay, That our God is infinite, and his God is finite, for unto that which is actually infinite, nothing can be added, neither Time nor Parts. Hear himſelf, *Nor do I underſtand what Derogation it can be to the divine Perfection, to attribute to it Potentiality, that is in* Engliſh, *Power* (ſo little doth he underſtand what Potentiality is) *and ſucceſſive Duration.* And he chargeth it upon us as a Fault; that we will not have Eternity to be an *endleſs Succeſſion of Time*. How, *ſucceſſive Duration*, and *an endleſs Succeſſion of Time in God*? Then God is not infinite, then God is elder To-day than he was Yeſterday. Away with Blaſphemies. Before he deſtroyed the Ubiquity of God, and now he deſtroyeth his Eternity.

T. H. I ſhall omit both here and henceforth his preambulatory, impertinent, and uncivil Calumnies. The thing he pretends to prove is this. That it is a Derogation to the Divine Power to attribute to it Potentiality (that is in *Engliſh* Power) and ſucceſſive Duration. One of his Reaſons is, God is infinite, and nothing can be added to infinite, neither of Time nor of Parts: It is true. And therefore I ſaid, God is infinite and eternal, without Beginning or End, either of Time or Place; which he has not here confuted, but confirmed. He denies Potentiality and Power to be all one, and ſays I little underſtand what Potentiality is. He ought therefore in this place to have defined what Potentiality is: For I underſtand it to be the ſame with *Potentia*, which is in *Engliſh*, Power. There is no ſuch Word as Potentiality in the Scriptures, nor in any Author of the *Latin* Tongue. It is found only in School Divinity, as a Word of Art, or rather as a Word of Craft, to amaze and puzzle the Laity. And therefore I no ſooner read than interpreted it. In the next place he ſays, as wondering, How, an endleſs Succeſſion of Time in God! Why not? *God's Mercy endureth for ever*, and ſurely God endureth as long as his Mercy, and therefore there is Duration in God, and conſequently Succeſſion of Time. *God who in ſundry Times and in divers Manners ſpake in time paſt, &c.* But in a former Diſpute with me about Free-will, he hath defined Eternity to be *nunc ſtans*, that is, an *ever ſtanding now*, or *everlaſting Inſtant*. This he thinks himſelf bound in Honour to defend. What reaſonable Soul can digeſt this? We read in Scripture, that a thouſand Years with God is but as Yeſterday. And why? but becauſe he ſees as clearly to the End of a thouſand Years, as to the End of a Day. But his Lordſhip affirms, that both a thouſand Years and a Day are but one Inſtant, the ſame *ſtanding now*, or Eternity. If he had ſhewed an holy Text for this Doctrine, or any Text of the Book of *Common Prayer* (in the Scripture and Book of *Common Prayer* is contained all our Religion) I had yielded to him, but School Divinity I value little or nothing at all. Though in this he contradict alſo the Schoolmen, who ſay the Soul is eternal only *à parte poſt*, but God is eternal both *à parte poſt*, and *à parte ante*. Thus there are Parts in Eternity, and Eternity being, as his Lordſhip ſays, the divine Subſtance, the divine Subſtance has Parts, and *nunc ſtans* has Parts. Is not this Darkneſs? I take it to be the Kingdom of Darkneſs, and the Teachers of it, eſpecially of this Doctrine, That God who is not only *Optimus*, but alſo *Maximus*, is no greater than to be wholly contained in the leaſt Atom of Earth, or other Body, and that his whole Duration is but an Inſtant of Time, to be either groſly ignorant or ungodly Deceivers.

J. D. Our God is a perfect, pure, ſimple, indiviſible, infinite Eſſence; free from all Compoſition of Matter and Form, of Subſtance and Accidents. All Matter is finite, and he who acteth by his infinite Eſſence, needeth neither Organs, nor Faculties *(id eſt, no Power, note that)* nor Accidents, to render him more complete. But *T. H.* his God is a diviſible God, a compounded God, that hath Matter, or Qualities, or Accidents. Hear himſelf. I argue thus, *The divine Subſtance is indiviſible, but Eternity is the divine Subſtance. The Major is evident, becauſe God is* Actus ſimpliciſſimus; *the Minor is confeſſed by all Men, that whatſoever is attributed to God, is God.* Now liſten to his Anſwer, *The Major is ſo far from being evident, that* Actus ſimpliciſſimus *ſignifieth nothing. The Minor is ſaid by ſome Men, thought by no Man, whatſoever is thought is underſtood.* The Major was this, *The divine Suſtance was indiviſible.* Is this far from being evident? Either it is indiviſible or diviſible. If it be not indiviſible, then it is diviſble, then it is materiate, then it is corporeal, then it hath Parts, then it is finite by his own Confeſſion. *Habere partes, aut eſſe totum aliquid, ſunt attributa finitorum.* Upon this ſilly Conceit he chargeth me for ſaying, That *God is not juſt*, but Juſtice itſelf; not eternal, but Eternity itſelf; which he calleth *unſeemly Words to be ſaid of God.* And he thinketh he doth me a great Courteſy in not adding, *Blaſphemous and Atheiſtical.* But his Bolts are ſo ſoon ſhot, and his Reaſons are ſuch vain Imaginations, and ſuch drowſy Phantaſies, that no ſober Man doth much regard them. Thus he hath already deſtroyed the Ubiquity, the Eternity, and the Simplicity of God. I wiſh he had conſidered better with himſelf, before he had deſperately caſt himſelf upon theſe Rocks.

But *paulo majora canamus*, my next Charge is, That he deſtroys the very Being of God, and leaves nothing in his Place, but an empty Name. For by taking away all incorporeal Subſtances, he taketh away God himſelf. The very Name, ſaith he, of an incorporeal Subſtance, is a *Contradiction.* And *to ſay that an Angel, or Spirit, is an incorporeal Subſtance, is to ſay in Effect, that there is no Angel or Spirit at all.* By the ſame Reaſon to ſay, That God is an incorporeal Subſtance, is to ſay there is no God at all. Either God is incorporeal, or he is finite, and conſiſts of Parts, and conſequently is no God. This, That there is no incorporeal Spirit, is that main Root of Atheiſm, from which ſo many leſſer Branches are daily ſprouting up.

T. H. God is indeed a perfect, pure, ſimple, infinite Subſtance; and his Name incommunicable, that is to ſay, not diviſible into this and that individual God, in ſuch manner as the Name of Man is diviſible into *Peter* and *John.* And therefore God is individual; which Word amongſt the *Greeks* is expreſſed by the Word Indiviſible. Certain Heretics in the primitive Church, becauſe ſpecial and individual are called Particulars, maintained that *Chriſt* was a particular God, differing in Number from God the Father. And this was the Doctrine that was condemned for Hereſy in the firſt Council of *Nice*, by theſe Words, *God hath no Parts.* And yet many of the *Latin* Fathers, in their Explications of the *Nicene* Creed, have expounded the Word *Conſubſtantial*, by the Community of Nature, which different Species have in their Genus, and different Individuals in the Species, as if *Peter* and *John* were *Conſubſtantial*, becauſe they agree in one human Nature; which is contrary, I confeſs, to the Meaning of the *Nice* Fathers. But that in a Subſtance infinitely great, it ſhould be impoſſible to conſider any thing as not infinite: I do not ſee it there condemned. For certainly he that thinks God is in every Part of the Church, does not exclude him out of the Church-yard. And is not this a conſidering of him by Parts? For dividing a Thing which we cannot reach, nor ſeparate one Part thereof from another, is nothing elſe but conſidering of the ſame by Parts. So much concerning Indiviſibility from natural Reaſon; for I will wade no farther, but rely upon the Scriptures. God is nowhere ſaid in the Scriptures to be indiviſible, unleſs his Lordſhip meant Diviſion to conſiſt only in Separation of Parts, which I think he did not. St. *Paul* indeed ſaith, 1 *Cor*. i. 13. *Is Chriſt divided?* Not that the Followers of *Paul*, *Apollos*, and *Cephas*, followed ſome one Part, ſome another of *Chriſt*; but that thinking differently of his Nature, they made, as it were, different Kinds of him. Secondly, his Lordſhip expounds Simplicity, by not being compounded of Matter and Form, or of Subſtance and Accidents, unlearnedly. For nothing can be ſo compounded. The Matter of a *Chair* is *Wood*, the Form is the Figure it hath apt for the intended Uſe; does his Lordſhip think the Chair compounded of the Wood and the Figure? A Man is rational; does it therefore follow that Reaſon is a Part of the Man? It was *Ariſtotle* deceived him, who had told him, that *a rational living Creature* is the Definition of a Man, and that the Definition of a Man was his Eſſence; and therefore the Biſhop and other Schoolmen, from this, that the Word Rational is a part of theſe Words *Man is a Rational living Creature*, concluded that the Eſſence of Man was a Part of the Man, and a *Rational Man*, the ſame thing with a Rational Soul. I ſhould wonder how any Man, much more a Doctor of Divinity, ſhould be ſo groſly deceived, but that I know naturally the Generality of Men ſpeak the Words of their Maſters by Rote, without having any Idea of the Things which the Words ſignify. Laſtly, he calls God an *Eſſence*. If he means by *Eſſence* the ſame with *Ens*, [τὸ ὄν] I approve it. Otherwiſe what is *Eſſence?* There is no ſuch Word in the Old Teſtament. The *Hebrew* Language, which has no Word anſwerable to the Copulative *eſt*, will not bear it. The New Teſtament hath ȣ̓σία, but never for *Eſſence*, nor for *Subſtance*, but only for *Riches*. I come now to his Argument in Mood and Figure, which is this, *The Divine Subſtance is indiviſible*; that's the *Major : Eternity is the Divine Subſtance*; that's the *Minor : Ergo*, the Divine Subſtance is indiviſible. The Major, he ſays, is evident, becauſe God is *Actus ſimpliciſſimus :* The Minor is confeſſed, he thinks, by all Men, becauſe whatſoever is attributed to God, is God. To this I anſwered, that the Major is ſo far from being evident, that *Actus ſimpliciſſimus* ſignifieth nothing, and that the Minor was underſtood by no Man. Firſt, what is *Actus* in the *Major?* does any an underſtand *Actus* for a Subſtance, that is, for a Thing ſubſiſting by itſelf? Is not *Actus* in *Engliſh*, either an *Act*, or an *Action*, or nothing? or is any of theſe *Subſtances?* If it be evident, why did he not explain *Actus* by a Definition? And as to the Minor, though all Men in the World underſtand that the *Eternal* is God, yet no Man can underſtand that the *Eternity* is God. Perhaps he and the Schoolmen mean by *Actus*, the ſame that they do by *Eſſentia*. What is the *Eſſence* of a *Man*, but his *Humanity?* or of *God*, but his *Deity*; of *Great*, but *Greatneſs*; and ſo of all other denominating Attributes? And the Words God and Deity, are of different Signification. *Damaſcene*, a Father of the Church, expounding the *Nicene* Creed, denies plainly that the *Deity* was incarnate; but all true Chriſtians hold that God was incarnate. Therefore *God* and the Deity, ſignify divers Things; and therefore *Eternal* and *Eternity* are not the ſame, no more than a wiſe Man and his Wiſdom are the ſame; nor God and his Juſtice the ſame Thing: And univerſally 'tis falſe, that the Attribute in the Abſtract is the ſame with the Subſtance, to which it is attributed. Alſo it is univerſally true of God, that the Attribute in the Concrete, and the Subſtance to which it is attributed, is not the ſame Thing. I come now to his next Period or Paragraph, wherein he would fain prove, that by denying incorporeal Subſtance, I take away God's Exiſtence. The Words he cites here are mine: *To ſay an Angel or Spirit is an incorporeal Subſtance, is to ſay in Effect, there is no Angel nor Spirit at all.* It is true alſo, that to ſay that God is an incorporeal Subſtance, is to ſay in Effect, there is no God at all. What alledges he againſt it, but the School Divinity, which I have already anſwered? Scripture he can bring none, becauſe the Word Incorporeal is not found in Scripture. But the Biſhop truſting to his *Ariſtotelian* and Scholaſtic Learning, hath hitherto made no Uſe of Scripture, ſave only of theſe Texts, *Who hath planted a*

Vineyard, and eateth not of the Fruit thereof; or who feedeth a Flock, and eateth not of the Milk of the Flock; and *Rev.* iv. 11. *Thou art worthy, O Lord, to receive Glory, Honour, and Power, for thou haſt created all Things, and for thy Pleaſure they were created*; thereby to prove, that the Right of God to govern and puniſh Mankind, is not derived from his Omnipotence. Let us now ſee how he proves Incorporeity by his own Reaſon without Scripture. *Either God*, he ſaith, *is Incorporeal or Finite.* He knows I deny both, and ſay he is *Corporeal* and *Infinite*, againſt which he offers no Proof, but only (according to his Cuſtom of diſputing) calls it the Root of Atheiſm; and interrogates me, What real Thing is left in the World, if God be incorporeal, but Body and Accidents? I ſay there is nothing left but corporeal Subſtance. For I have denied (as he knew) that there is any Reality in Accidents; and nevertheleſs maintain God's Exiſtence, and that he is a moſt pure, and moſt ſimple corporeal Spirit. Here his Lordſhip catching nothing, removes to the Eternity of the Trinity, which theſe my Grounds (he ſays) deſtroy. How ſo? I ſay the Trinity, and the Perſons thereof, are that one pure, ſimple, and eternal corporeal Spirit; and why does this deſtroy the Trinity, more than if I had called it incorporeal? He labours here and ſeeketh ſomewhat to refreſh himſelf in the Word *Perſon*; by the ſame Grounds, he ſaith, every King has as many Perſons as there be Juſtices of Peace in his Kingdom, and God Almighty hath as many Perſons as there be Kings. Why not? For I never ſaid that all thoſe Kings were that God; and yet God giveth that Name to the Kings of the Earth. For the Signification of the Word *Perſon*, I ſhall expound it by and by in another Place. Here ends his Lordſhip's School Argument; now let me come with my Scripture Argument. St. *Paul* concerning *Chriſt*, *Col.* ii. 9. ſaith thus, *In him dwelleth all the Fullneſs of the Godhead bodily.* This Place *Athanaſius*, a great and zealous Doctor in the *Nicene* Council, and vehement Enemy of *Arius* the Heretic, who allowed *Chriſt* to be no otherwiſe God, than as Men of excellent Piety were ſo called, expoundeth thus: The Fullneſs of the Godhead dwelleth in him bodily *(Greek σωματικῶς) id eſt*, θεϊκῶς, *id eſt*, *realiter*. So there is one Father for Corporality, and that God was in *Chriſt* in ſuch manner as Body is in Body. Again, there were in the primitive Church a ſort of Heretics, who maintained that *Jeſus Chriſt* had not a true real Body, but was only a Phantaſm or Spright, ſuch as the *Latins* called *Spectra*. Againſt the Head of this Sect (whoſe Name I think was *Apelles) Tertullian* wrote a Book, now extant amongſt his other Works, intitled, *De Carne Chriſti*; wherein, after he had ſpoken of the Nature of Phantaſms, and ſhewed that they had nothing of Reality in them, he concludeth with theſe Words, Whatſoever is not *Body*, is *Nothing*. So here is on my ſide a plain Text of Scripture, and two ancient and learned Fathers. Nor was this Doctrine of *Tertullian* condemned in the Council of *Nice*; but the Diviſion of the Divine Subſtance into God the Father, God the Son, and God the Holy Ghoſt. For theſe Words, *God has no Parts*, were added, for Explication of the Word *Conſubſtantial*, at the Requeſt of the diſſenting Fathers, and are farther explained both in *Athanaſius* his Creed, in theſe Words, *not three Gods, but one God*, and by the conſtant Attribute ever ſince of the *Individual* Trinity. The ſame Words nevertheleſs do condemn the *Anthropomorphites* alſo: For though there appeared no Chriſtians that profeſſed that God had an Organical Body, and conſequently that the Perſons were three Individuals, yet the *Gentiles* were all *Anthropomorphites*, and there condemned by thoſe Words, *God has no Parts.*

And thus I have anſwered his Accuſation concerning the Eternity and Exiſtence of the Divine Subſtance, and made it appear, that in Truth the Queſtion between us is, whether God be a Phantaſm *(id eſt*, an Idol of the Fancy, which St. *Paul* ſaith is nothing) or a corporeal Spirit, that is to ſay, ſomething that has Magnitude.

In this Place I think it not amiſs, leaving for a little while this Theological Diſpute, to examine the Signification of thoſe Words, which have occaſioned ſo much Diverſity of Opinion in this kind of Doctrine.

The Word *Subſtance*, in Greek *Hypoſtaſis*, *Hypoſtan*, *Hypoſtamenon*, ſignify the ſame Thing, namely, a Ground, a Baſe, any thing that has Exiſtence or Subſiſtence *in itſelf*, any thing that upholdeth that which elſe would fall, in which Senſe God is properly the Hypoſtaſis, Baſe, and Subſtance that upholdeth all the World, having Subſiſtence not only *in himſelf*, but *from himſelf*; whereas other Subſtances have their Subſiſtence only in themſelves, not from themſelves. But metaphorically, Faith is called a Subſtance, *Heb.* xi. 1. becauſe it is the Foundation or Baſe of our Hope; for Faith failing, our Hope falls. And 2 *Cor.* ix. 4. St. *Paul* having boaſted of the liberal Promiſe of the *Corinthians* towards the *Macedonians*, calls that Promiſe the Ground, the Hypoſtaſis of that his boaſting. And *Heb.* i. 3. Chriſt is called the Image of the Subſtance (the Hypoſtaſis) of his Father, and for the proper and adequate Signification of the Word Hypoſtaſis, the *Greek* Fathers did always oppoſe it to Apparition or Phantaſm; as when a Man ſeeth his Face in the Water, his real Face is called the Hypoſtaſis of the phantaſtic Face in the Water. So alſo in ſpeaking, the Thing underſtood or named, is called Hypoſtaſis, in reſpect of the Name, ſo alſo a Body coloured is the Hypoſtaſis, Subſtance and Subject of the Colour; and in like Manner of all its other Accidents. Eſſence, and all other abſtract Names, are Words artificial belonging to the Art of Logic, and ſignifies only the Manner how we conſider the Subſtance itſelf. And of this I have ſpoken ſufficiently in my *Leviathan*. *Body* [*Lat.*] *Corpus* [*Græ.*] σῶμα, is that Subſtance which hath Magnitude indeterminate, and is the ſame with corporeal Subſtance; but *A Body* is that which hath Magnitude determinate, and conſequently is underſtood to be *totum* or *integrum aliquid*. *Pure* and *ſimple Body*, is Body of one and the ſame Kind, in every Part throughout, and if mingled with Body of another Kind, though the total be compounded or mixt, the Parts nevertheleſs retain their Simplicity, as when Water and Wine are mixt, the Parts of both Kinds retain their Simplicity. For Water and Wine cannot both be in one and the ſame Place at once.

Matter is the ſame with *Body*; but never without Reſpect to a Body which is made thereof. *Form* is the Aggregate of all Accidents together, for which we give the Matter a new Name; ſo *Albedo*, *Whiteneſs*, is the Form of *Album*, or *white Body*. So alſo Humanity is the Eſſence of Man, and Deity the Eſſence of *Deus*.

Spirit is thin, fluid, tranſparent, inviſible Body. The Word in *Latin* ſignifies Breath, Air, Wind, and the like. In *Greek* πνεῦμα from πνέω, *Spiro*, *Flo*.

I have ſeen, and ſo have many more, two Waters, one of the River, the other a Mineral Water, ſo like, that no Man could diſcern the one from the other by his Sight; yet when they have been both put together, the whole Subſtance could not by the Eye be diſtinguiſhed from Milk. Yet we know that the one was not mixt with the other, ſo as every Part of the one to be in every Part of the other, for that is impoſſible, unleſs two Bodies can be in the ſame Place. How then could the Change be made in every Part, but only by the Activity of the Mineral Water, changing it every where to the Senſe, and yet not being every where and in every Part of the Water? If then ſuch groſs Bodies have ſo great Activity, what ſhall we think of Spirits, whoſe Kinds be as many as there be Kinds of Liquor, and Activity greater? Can it then be doubted, but that God, who is an infinitely fine Spirit, and withal intelligent, can make and change all Species and Kinds of Body as he pleaſeth; but I dare not ſay, that this is the Way by which God Almighty worketh, becauſe it is paſt my Apprehenſion; yet it ſerves very well to demonſtrate, that the Omnipotence of God implieth no Contradiction; and is better than by Pretence of magnifying the Fineneſs of the divine Subſtance, to reduce it to a Spright or Phantaſm, which is nothing.

A *Perſon*, [Lat.] *Perſona*, ſignifies an intelligent Subſtance, that acteth any thing in his own or another's Name, or by his own or another's Authority. Of this Definition there can be no other Proof than from the Uſe of that Word, in ſuch *Latin* Authors as were eſteemed the moſt ſkilful in their own Language, of which Number was *Cicero*. But *Cicero*, in an Epiſtle to *Atticus*, ſaith thus, *Unus ſuſtineo* *tres Perſonas, Mei, Adverſarii, & Judicis:* That is, I that am but one Man, ſuſtain three Perſons; mine own Perſon, the Perſon of my Adverſary, and the Perſon of the Judge. *Cicero* was here the Subſtance intelligent, one Man; and becauſe he pleaded for himſelf, he calls himſelf his own Perſon; and again, becauſe he pleaded for his Adverſary, he ſays, he ſuſtained the Perſon of his Adverſary; and laſtly, becauſe he himſelf gave the Sentence, he ſays, he ſuſtained the Perſon of the Judge. In the ſame Senſe we uſe the Word in *Engliſh* vulgarly, calling him that acteth by his own Authority, his own Perſon; and him that acteth by the Authority of another, the Perſon of that other. And thus we have the exact Meaning of the Word *Perſon.* The *Greek* Tongue cannot render it; for πρόσωπον is properly a Face, metaphorically, a Vizard of an Actor upon the Stage. How then did the *Greek* Fathers render the Word *Perſon*, as it is in the Bleſſed Trinity? Not well. Inſtead of the Word *Perſon*, they put *Hypoſtaſis*, which ſignifies Subſtance, from whence it might be inferred, that the three Perſons in the Trinity are three divine Subſtances, that is, three Gods. The Word πρόσωπον, they could not uſe, becauſe Face and Vizard are neither of them honourable Attributes of God, nor explicative of the Meaning of the *Greek* Church. Therefore the *Latin* (and conſequently the *Engliſh*) Church renders *Hypoſtaſis* every where in *Athanaſius* his Creed by *Perſon.* But the Word *Hypoſtatical Union* is rightly retained and uſed by Divines, as being the Union of two Hypoſtaſes, that is, of two Subſtances or Natures in the Perſon of Chriſt. But ſeeing they alſo hold the Soul of our Saviour to be a Subſtance, which though ſeparated from his Body, ſubſiſted nevertheleſs in itſelf, and conſequently before it was ſeparated from his Body upon the Croſs, was a diſtinct Nature from his Body, how will they avoid this Objection, that then Chriſt had three Natures, three Hypoſtaſes, without granting, that *his Reſurrection was a new Vivification, and not a Return of his Soul out of Heaven into the Grave?* The contrary is not determined by the Church. Thus far in Explication of the Words that occur in this Controverſy. Now I return again to his Lordſhip's Diſcourſe.

J. D. When they have taken away all incorporeal Spirits, what do they leave God himſelf to be? He who is the Fountain of all Being, from whom and in whom all Creatures have their Being, muſt needs have a real Being of his own. And what real Being can God have among Bodies and Accidents? for they have left nothing elſe in the Univerſe. Then *T. H.* may move the ſame Queſtion of God, which he did of Devils. *I would gladly know in what Claſſis of Entities, the Biſhop ranketh God?* Infinite Being, and participated Being, are not of the ſame Nature. Yet to ſpeak according to human Apprehenſion, (Apprehenſion and Comprehenſion differ much: *T. H.* confeſſeth that natural Reaſon doth dictate to us, that God is infinite, yet natural Reaſon cannot comprehend the Infiniteneſs of God) I place him among incorporeal Subſtances or Spirits, becauſe he hath been pleaſed to place himſelf in that Rank, *God is a Spirit.* Of which Place *T. H.* giveth his Opinion, that it is unintelligible, and all others of the ſame Nature, *and fall not under human Underſtanding.*

They who deny all incorporeal Subſtances, can underſtand nothing by God, but either Nature, (not *Naturam naturantem*, that is, a real Author of Nature, but *Naturam naturatam*, that is, the orderly Concourſe of natural Cauſes, as *T. H.* ſeemeth to intimate) or a Fiction of the Brain, without real Being, cheriſhed for Advantage and politic Ends, as a profitable Error, howſoever dignified with the glorious Title of *the eternal Cauſe of all Things.*

T. H. To his Lordſhip's Queſtion here, what I leave God to be, I anſwer, I leave him to be a moſt pure, ſimple, inviſible Spirit Corporeal. By Corporeal I mean a Subſtance that has Magnitude, and ſo mean all learned Men, Divines and others, though perhaps there be ſome common People ſo rude as to call nothing Body, but what they can ſee and feel. To his ſecond Queſtion, what real Being he can have amongſt Bodies and Accidents, I anſwer, The Being of a Spirit, not of a Spright. If I ſhould aſk any the moſt ſubtil Diſtinguiſher, what middle Nature there were between an infinitely ſubtil Subſtance, and a mere Thought or Phantaſm, by what Name could he call it? He might call it perhaps an incorporeal Subſtance, and ſo *incorporeal* ſhall paſs for a middle Nature between *infinitely ſubtil* and *nothing*, and be leſs ſubtil than infinitely ſubtil, and yet more ſubtil than a Thought. It is granted, he ſays, that the Nature of God is incomprehenſible. Doth it therefore follow, that we may give to the divine Subſtance what negative Name we pleaſe? Becauſe he ſays, the whole divine Subſtance is here and there and every where throughout the World, and that the Soul of a Man is here and there and every where throughout Man's Body, muſt we therefore take it for a Myſtery of Chriſtian Religion, upon his or any other Schoolman's Word, without the Scripture, which calls nothing a Myſtery but the Incarnation of the Eternal God? Or is Incorporeal a Myſtery, when not at all mentioned in the Bible, but to the contrary it is written, *that the Fulneſs of the Deity was bodily in Chriſt?* When the Nature of the Thing is incomprehenſible, I can acquieſce in the Scripture, but when the Signification of Words are incomprehenſible, I cannot acquieſce in the Authority of a Schoolman.

J. D. We have ſeen what his Principles are concerning the Deity, they are full as bad or worſe concerning the Trinity. Hear himſelf. *A Perſon is he that is repreſented as often as he is repreſented. And therefore God who has been repreſented, that is, perſonated, thrice, may properly enough be ſaid to be three Perſons, though neither the Word Perſon nor Trinity be aſcribed to him in the Bible.* And a little after: *To conclude, the Doctrine of the Trinity, as far as can be gathered directly from the Scripture, is in Subſtance this, that the God who is always one and the ſame, was the Perſon repreſented by* Moſes, *the Perſon repreſented by his Son incarnate, and the Perſon repreſented by the Apoſtles. As repreſented by the Apoſtles, the Holy Spirit by which they ſpake is God. As repreſented by his Son that was God and Man, the Son is that God. As repreſented by* Moſes, *and the High Prieſts, the Father, that is to ſay, the Father of our Lord Jeſus Chriſt, is that God. From whence we may gather the Reaſon why thoſe Names, Father, Son, and Holy Ghoſt, in the Signification of the Godhead, are never uſed in the Old Teſtament. For they are Perſons, that is, they have their Names from repreſenting, which could not be, till divers Perſons had repreſented God, in ruling or in directing under him.*

Who is ſo bold as blind *Bayard?* The Emblem of a little Boy attempting to lade all the Water out of the Sea with a Cockle-ſhell, doth fit *T. H.* as exactly as if it had been ſhaped for him, who thinketh to meaſure the profound and inſcrutable Myſteries of Religion, by his own ſilly, ſhallow Conceits. What is now become of the great adorable Myſtery of the bleſſed undivided Trinity? It is ſhrunk into nothing. Upon his Grounds there was a Time when there was no Trinity. And we muſt blot theſe Words out of our Creed, *The Father eternal, the Son eternal, and the Holy Ghoſt eternal*; and theſe other Words out of our Bibles, *Let us make Man after our Image.* Unleſs we mean that this was a Conſultation of God with *Moſes* and the Apoſtles. What is now become of the eternal Generation of the Son of God, if this Sonſhip did not begin until about four thouſand Years after the Creation were expired? Upon theſe Grounds every King hath as many *Perſons*, as there be Juſtices of Peace, and Petty Conſtables in his Kingdom. Upon this Account God Almighty hath as many *Perſons*, as there have been Sovereign Princes in the World ſince *Adam*. According to this Reckoning, each one of us, like ſo many *Geryons*, may have as many *Perſons* as we pleaſe to make Procurations. Such bold Preſumption requireth another manner of Confutation.

T. H. As for the Words recited, I confeſs there is a Fault in the Ratiocination, which nevertheleſs his Lordſhip hath not diſcovered, but no Impiety. All that he objecteth is, that it followeth hereupon, that there be as many Perſons of a King, as there be petty Conſtables in his Kingdom. And ſo there are, or elſe he cannot be obeyed. But I never ſaid that a King, and every one of his Perſons, are the ſame Subſtance. The Fault I here made, and ſaw not, was this; I was to prove, That it is no Contradiction (as *Lucian* and heathen Scoffers would have it) to ſay of God, he was One and Three. I ſaw the true Definition of the Word

Perſon would ſerve my Turn in this manner; God in his own Perſon both created the World, and inſtituted a Church in *Iſrael,* uſing therein the Miniſtry of *Moſes*; the ſame God, in the Perſon of his Son God and Man, redeemed the World, and the ſame Church; the ſame God, in the Perſon of the Holy Ghoſt, ſanctified the ſame Church, and all the faithful Men in the World. Is not this a clear Proof, that it is no Contradiction to ſay, that God is three Perſons and one Subſtance? And doth not the Church diſtinguiſh the Perſons in the ſame manner? See the Words of our Catechiſm. Queſt. *What doſt thou chiefly learn in theſe Articles of thy Belief?* *Anſw.* Firſt, I learn to believe in God the Father, that hath made me and all the World: Secondly, In God the Son, who hath redeemed me and all Mankind: Thirdly, In God the Holy Ghoſt, that hath ſanctified me and all the elect People of God. But at what Time was the Church ſanctified? Was it not on the Day of *Pentecoſt*, in the Deſcending of the Holy Ghoſt upon the Apoſtles? His Lordſhip all this while hath catched nothing. 'Tis I that catched myſelf, for ſaying, (inſtead of, *By the Miniſtry of Moſes*) in the Perſon of *Moſes.* But this Error I no ſooner ſaw, than I as publicly corrected as I had committed it, in my *Leviathan* converted into *Latin*, which by this time I think is printed beyond the Seas with this Alteration, and alſo with the Omiſſion of ſome ſuch Paſſages as Strangers are not concerned in. And I had corrected this Error ſooner, if I had ſooner found it. For though I was told by Dr. *Coſins*, now Biſhop of *Durham*, that the Place above-cited was not applicable enough to the Doctrine of the Trinity, yet I could not in reviewing the ſame eſpy the Defect till of late, when being ſollicited from beyond Sea to tranſlate the Book into *Latin*, and fearing ſome other Man might do it not to my liking, I examined this Paſſage and others of the like Senſe more narrowly. But how concludes his Lordſhip out of this, that I put out of the Creed theſe Words, *The Father eternal, the Son eternal, the Holy Ghoſt eternal?* or theſe Words, *Let us make Man after our Image*, out of the Bible? Which laſt Words neither I nor *Bellarmine* put out of the Bible, but we both put them out of the Number of good Arguments to prove the Trinity; for it is no unuſual Thing in the *Hebrew*, as may be ſeen by *Bellarmine*'s Quotation, to join a Noun of the plural Number with a Verb of the Singular. And we may ſay alſo of many other Texts of Scripture alledged to prove the Trinity, that they are not ſo firm as that high Article requireth. But mark his Lordſhip's Scholaſtic Charity in the laſt Words of this Period, *Such bold Preſumption requireth another manner of Confutation.* This Biſhop, and others of his Opinion, had been in their Element, if they had been Biſhops in Queen *Mary*'s Time.

J. D. Concerning God the Son, forgetting what he had ſaid elſewhere, where he calleth him *God and Man*, and *the Son of God incarnate*, he doubteth not to ſay, that *the Word* Hypoſtatical *is canting*. As if the ſame Perſon could be both God and Man without a perſonal, that is, an hypoſtatical Union of the two Natures of God and Man.

T. H. If Chriſtian Profeſſion be (as certainly it is in *England)* a Law, and if it be of the Nature of a Law to be made known to all Men that are to obey it, in ſuch manner as they may have no Excuſe for Diſobedience from their Ignorance, then without Doubt all Words unknown to the People, and as to them inſignificant, are canting. The Word *Subſtance* is underſtood by the Vulgar well enough, when it is ſaid of a Body, but in other Senſe not at all, except for their Riches. But the Word *Hypoſtatical* is underſtood only by thoſe, and but few of thoſe, that are learned in the *Greek* Tongue, and is properly uſed, as I have ſaid before, of the Union of the two Natures of *Chriſt* in one Perſon. So likewiſe *Conſubſtantial* in the *Nicene* Creed, is properly ſaid of the Trinity. But to an *Engliſhman* that underſtands neither *Greek* nor *Latin*, and yet is as much concerned as his Lordſhip was, the Word *Hypoſtatical* is no leſs canting than *Eternal now.*

J. D. He alloweth every Man who is commanded by his lawful Sovereign, *to deny Chriſt with his Tongue before Men.*

T. H. I allow it in ſome Caſes, and to ſome Men, which his Lordſhip knew well enough, but would not mention. I alledged for it, in the Place cited, both Reaſon and Scripture, though his Lordſhip thought it not expedient to take notice of either. If it be true that I have ſaid, why does he blame it? if falſe, why offers he no Argument againſt it, neither from Scripture nor from Reaſon? or why does he not ſhew that the Text I cite is not applicable to the Queſtion, or not well interpreted by me? Firſt, He barely cites it, becauſe he thought the Words would ſound harſhly, and make a Reader admire them for Impiety. But I hope I ſhall ſo well inſtruct my Reader ere I leave this Place, that this his petty Art will have no Effect. Secondly, The Cauſe why he omitted my Arguments was, that he could not anſwer them. Laſtly, The Cauſe why he urgeth neither Scripture nor Reaſon againſt it was, that he ſaw none ſufficient. My Argument from Scripture was this, (in my *Leviathan)* taken out of 2 *Kings* v. 17. where *Naaman* the *Syrian* ſaith to *Eliſha* the Prophet, *Thy Servant will henceforth offer neither Burnt-offering nor Sacrifice to other Gods, but unto the Lord. In this Thing the Lord pardon thy Servant, that when my Maſter goeth into the Houſe of Rimmon to worſhip there, and he leaneth on my Hand, and I bow myſelf in the Houſe of Rimmon: when I bow myſelf in the Houſe of Rimmon, the Lord pardon thy Servant in this Thing. And he ſaid unto him, Go in Peace.* What can be ſaid to this? Did not *Eliſha* ſay it from God? Or is not this Anſwer of the Prophet a Permiſſion? When St. *Paul* and St. *Peter* commanded the *Chriſtians* of their Time to obey their Princes, which then were Heathens and Enemies of *Chriſt*, did they mean they ſhould loſe their Lives for Diſobedience? Did they not rather mean they ſhould preſerve both their Lives and their Faith, (believing in *Chriſt* as they did) by this Denial of the Tongue, having no Command to the contrary? If in this Kingdom a *Mahometan* ſhould be made by Terror to deny *Mahomet* and go to Church with us, would any Man condemn this *Mahometan?* A Denial with the Mouth may perhaps be prejudicial to the Power of the Church, but to retain the Faith of *Chriſt* ſtedfaſtly in his Heart, cannot be prejudicial to his Soul that hath undertaken no Charge to preach to Wolves, whom they know will deſtroy them. About the Time of the Council of *Nice*, there was a Canon made (which is extant in the Hiſtory of the *Nicene* Council) concerning thoſe that being Chriſtians had been ſeduced, not terrified, to a Denial of *Chriſt*, and again repenting, deſired to be readmitted into the Church; in which Canon it was ordain'd, that thoſe Men ſhould be no otherwiſe readmitted than to be in the Number of the Catechiſed, and not to be admitted to the Communion till a great many Years Penitence. Surely the Church then would have been more merciful to them that did the ſame upon Terror of preſent Death and Torments.

Let us now ſee what his Lordſhip might, though but colourably, have alledged from Scripture againſt it. There be three Places only that ſeem to favour his Lordſhip's Opinion. The firſt is, where *Peter* denied *Chriſt*, and weepeth. The ſecond is, *Acts* v. 29. *Then Peter and the other Apoſtles anſwered and ſaid, We ought to obey God rather than Men.* The third is, *Luke* xii. 9. *But he that denieth me, ſhall be denied before the Angels of God.*

For Anſwer to theſe Texts, I muſt repeat what I have written, and his Lordſhip read in my *Leviathan. For an unlearned Man that is in the Power of an idolatrous King, or State, if commanded on Pain of Death to worſhip before an Idol, doing it, he deteſteth the Idol in his Heart, he doth well; though if he had the Fortitude to ſuffer Death, rather than worſhip it, he ſhould do better. But if a Paſtor, who, as* Chriſt's *Meſſenger, has undertaken to teach Chriſt's Doctrine to all Nations, ſhould do the ſame, it were not only a ſinful Scandal in reſpect of other Men's Conſciences, but a perfidious forſaking of his Charge.* In which Words I diſtinguiſh between a Paſtor and one of the Sheep of his Flock. St. *Peter* ſinned in denying *Chriſt*; and ſo does every Paſtor, that having undertaken the Charge of Preaching the Goſpel in the Kingdom of an Infidel, where he could expect at the Undertaking of his Charge no leſs than Death. And why, but becauſe he violates his

Truſt in doing contrary to his Commiſſion. St. *Peter* was an Apoſtle of *Chriſt*, and bound by his voluntary undertaking of that Office, not only to confeſs *Chriſt*, but alſo to preach him before thoſe Infidels whom he knew would, like Wolves, devour him. And therefore when *Paul* and the reſt of the Apoſtles were forbidden to preach Chriſt, they gave this Anſwer, *We ought to obey God rather than Men.* And it was to his Diſciples only which had undertaken that Office that Chriſt ſaith, *he that denieth me before Men, ſhall be denied before the Angels of God.* And ſo I think I have ſufficiently anſwered this Place, and ſhewed that I do not allow the denying of Chriſt, upon any Colour of Torments, to his Lordſhip, nor to any other that has undertaken the Office of a Preacher. Which if he think right, he will perhaps in this Caſe put himſelf into the Number of thoſe whom he calls merciful Doctors, whereas now he extends his Severity beyond the Bounds of common Equity. He has read *Cicero*, and perhaps this Story in him. The Senate of *Rome* would have ſent *Cicero* to treat of Peace with *Marcus Antonius*, but when *Cicero* had ſhewed them the juſt Fear he had of being killed by him, he was excuſed; and if they had forced him to it, and he by Terror turned Enemy to them, he had in Equity been excuſable. But his Lordſhip I believe did write this more valiantly than he would have acted it.

J. D. He depoſeth Chriſt from his true Kingly Office, making his *Kingdom not to commence or begin before the Day of Judgment.* And *the Regimen wherewith Chriſt governeth his faithful in this Life, is not properly a Kingdom, but a paſtoral Office, or a Right to teach.* And a little after, *Chriſt had not Kingly Authority committed to him by his Father in this World, but only Conſiliary and Doctrinal.*

T. H. How do I take away Chriſt's Kingly Office? He neither draws it by Conſequence from my Words, nor offers any Argument at all againſt my Doctrine. The Words he cites are in the Contents of Chap xvii. *de Cive*. In the Body of the Chapter it is thus: The Time of Chriſt's being upon the Earth is called in Scripture the *Regeneration* often, but the *Kingdom* never. *When the Son of God comes in Majeſty, and all the Angels with him, then he ſhall ſit on the Seat of Majeſty. My Kingdom is not of this World. God ſent not his Son that he ſhould judge the World. I came not to judge the World, but to ſave the World. Man, who made me a Judge or Divider amongſt you? Let thy Kingdom come.* And other Words to the ſame Purpoſe; out of which it is clear, that Chriſt took upon him no Regal Power upon Earth before his Aſſumption. But at his Aſſumption, his Apoſtles aſked him if he would then reſtore the Kingdom to *Iſrael*, and he anſwered, it was not for them to know. So that hitherto Chriſt had not taken that Office upon him, unleſs his Lordſhip think that the Kingdom of God and the Kingdom of Chriſt be two diſtinct Kingdoms. From the Aſſumption ever ſince, all true Chriſtians ſay daily in their Prayers, *Thy Kingdom come.* But his Lordſhip had perhaps forgot that. But when then beginneth Chriſt to be a King? I ſay it ſhall be then, when he comes again in Majeſty with all the Angels. And even then he ſhall reign (as he is Man) under his Father. For St. *Paul* ſaith, 1 *Cor.* xv. 25, 26. *He muſt reign till he hath put all Enemies under his Feet; the laſt Enemy that ſhall be deſtroyed is Death.* But when ſhall God the Father reign again? St. *Paul* ſaith in the ſame Chapter, ver. 28. *When all Things ſhall be ſubdued unto him, then ſhall the Son alſo himſelf be ſubject unto him that put all Things under him, that God may be all in all.* And ver. 24. *Then cometh the End, when he ſhall have delivered up the Kingdom to God, even the Father; when he ſhall have put down all Rule, Authority and Power.* This is at the Reſurrection. And by this it is manifeſt, that his Lordſhip was not ſo well verſed in Scripture, as he ought to have been.

J. D. He taketh away his prieſtly or propitiatory Office; *And although this Act of our Redemption be not always in Scripture called a Sacrifice and Oblation, but ſometimes a Price, yet by Price we are not to underſtand any thing, by the Value whereof he could claim Right to a Pardon for us from his offended Father, but that Price which God the Father was pleaſed in Mercy to demand.* And again, *Not that the Death of one Man, though without Sin, can ſatisfy for the Offences of all Men in the Rigour of Juſtice, but in the*

the Mercy of God, that ordained ſuch Sacrifices for Sin, as he was pleaſed in Mercy to accept. He knoweth no Difference between one who was both God and Man; between a *Levitical* Sacrifice, and the All-ſufficient Sacrifice of the Croſs; between the Blood of a Calf, and the precious Blood of the Son of God.

T. H. Yes, I know there is a Difference between Blood and Blood, but not any ſuch as can make a Difference in the Caſe here queſtioned. Our Saviour's Blood was moſt precious, but ſtill it was human Blood; and I hope his Lordſhip did never think otherwiſe, or that it was not accepted by his Father for our Redemption.

J. D. And touching the prophetical Office of Chriſt, I do much doubt whether he do believe in earneſt, that there is any ſuch thing as Prophecy in the World. He maketh very little Difference between a *Prophet* and a *Madman*, and *a Dæmoniac. And if there were nothing elſe* (ſays he) *that bewrayed their Madneſs, yet that very arrogating ſuch Inſpiration to themſelves is Argument enough.* He maketh the Pretence of Inſpiration in any Man to be, and always to have been, *on Opinion pernicious to Peace, and tending to the Diſſolution of all Civil Government.* He ſubjecteth all prophetical Revelations from God, to the ſole Pleaſure and Cenſure of the Sovereign Prince, either to authoriſe them, or to exauctorate them. So as two Prophets propheſying the ſame thing at the ſame Time, in the Dominions of two different Princes, the one ſhall be a true Prophet, the other a falſe. And Chriſt, who had the Approbation of no Sovereign Prince, upon his Grounds, was to be reputed a falſe Prophet every where. *Every Man therefore ought to conſider who is the Sovereign Prophet, that is to ſay, who it is that is God's Vicegerent upon Earth, and hath next under God the Authority of governing Chriſtian Men, and to obſerve for a Rule that Doctrine which in the Name of God he hath commanded to be taught, and thereby to examine and try out the Truth of thoſe Doctrines which pretended Prophets, with Miracle, or without, ſhall at any time advance,* &c. *And if he diſavow them, then no more to obey their Voice; or if he approve them, then to obey them as Men, to whom God hath given a Part of the Spirit of their Sovereign.* Upon his Principles the Caſe holdeth as well among *Jews* and *Turks* and *Heathens*, as *Chriſtians*. Then he that teacheth Tranſubſtantiation in *France*, is a true Prophet; he that teacheth it in *England*, a falſe Prophet. He that blaſphemeth Chriſt in *Conſtantinople*, a true Prophet; he that doth the ſame in *Italy*, a falſe Prophet. Then *Samuel* was a falſe Prophet to conteſt with *Saul* a Sovereign Prophet: So was the Man of God who ſubmitted not to the more divine and prophetic Spirit of *Jeroboam*; and *Elijah* for reproving *Ahab*. Then *Micaiah* had but his Deſerts, to be clapt up in Priſon, and fed with Bread of Affliction, and Water of Affliction, for daring to contradict *God's Vicegerent upon Earth:* And *Jeremiah* was juſtly thrown into a Dungeon, for propheſying againſt *Zedekiah* his Liege Lord. If his Principles were true, it were ſtrange indeed that none of theſe Princes, nor any other that ever was in the World, ſhould underſtand their own Privileges: And yet more ſtrange, that God Almighty ſhould take the Part of ſuch rebellious Prophets, and juſtify their Prophecies by the Event, if it were true that *none but the Sovereign in a Chriſtian* (the Reaſon is the ſame for *Jewiſh) Commonwealth can take Notice, what is or what is not the Word of God,*

T. H. To remove his Lordſhip's Doubt in the firſt Place, I confeſs there was true Prophecy and true Prophets in the Church of God, from *Abraham* down to our Saviour the greateſt Prophet of all, and the laſt of the Old Teſtament, and firſt of the New. After our Saviour's Time till the Death of St. *John* the Apoſtle, there were true Prophets in the Church of Chriſt, Prophets to whom God ſpake ſupernaturally, and teſtified the Truth of their Miſſion by Miracles. Of thoſe that in the Scripture are called Prophets without Miracles, and for this Cauſe only, that they ſpake in the Name of God to Men, and in the Name of Men to God, there are, have been, and ſhall be in the Church, innumerable. Such a Prophet was his Lordſhip, and ſuch are all Paſtors in the Chriſtian Church. But the Queſtion here is of thoſe Prophets, that from the Mouth of God foretel Things future, or do other Miracle. Of this Kind I deny there has been any ſince the Death of St. *John* the Evangeliſt. If any Man find Fault with this, he ought to name ſome Man or other whom we are bound to acknowledge that they have done a Miracle, caſt out a Devil, or cured any Diſeaſe, by the ſole Invocation of the divine Majeſty. We are not bound to truſt to the Legend of the *Roman* Saints, nor to the Hiſtory written by *Sulpitius* of the Life of St. *Martin*, nor to any other Fables of the *Roman* Clergy, nor to ſuch Things as were pretended to be done by ſome Divines here in the Time of King *James*. Secondly, he ſays I make little Difference between a *Prophet* and a *Madman*, or *Dæmonaic*; to which I ſay he accuſes me falſely. I ſay only thus much, *That I ſee nothing at all in the Scripture that requireth a Belief, that Dæmoniacs were any other thing than Madmen.* And this is alſo made very probable out of Scripture by a worthy Divine Mr. *Meade*. But concerning Prophets, I ſay only that the *Jews*, both under the Old Teſtament and under the New, took them to be all one with *Madmen* and *Dæmoniacs*; and prove it out of Scripture by many Places both of the Old and New Teſtament. Thirdly, that the Pretence or arrogating to ones ſelf divine Inſpiration, is Argument enough to ſhew a Man is *mad*, is my Opinion; but his Lordſhip underſtands not *Inſpiration* in the ſame Senſe that I do. He underſtands it properly of God's breathing into a Man, or pouring into him, the divine Subſtance, or divine Graces, and in that Senſe, he that arrogateth Inſpiration into himſelf, neither underſtands what he ſaith, nor makes others to underſtand him, which is properly Madneſs in ſome Degree. But I underſtand *Inſpiration* in the Scripture metaphorically, for God's Guidance of our Minds to Truth and Piety. Fourthly, whereas he ſays, I make the Pretence of *Inſpiration* to be pernicious to Peace: I anſwer, that I think his Lordſhip was of my Opinion, for he called thoſe Men which in the late Civil War pretended the Spirit, and new Light, and to be the only faithful Men, *Phanatics*; for he called them in his Book, and did call them in his Life-time, *Phanatics*. And what is a *Phanatic* but a *Madman?* and what can be more pernicious to Peace than the Revelations that were by theſe *Phanatics* pretended? I do not ſay there were Doctrines of other Men, not called *Phanatics*, as pernicious to Peace, as theirs were, and in great Part a Cauſe of thoſe Troubles. Fifthly, from that I make prophetical Revelations ſubject to the Examination of the lawful Sovereign, he inferreth, that two Prophets propheſying the ſame Thing at the ſame Time, in the Dominions of two different Princes, the one ſhall be a true Prophet, the other a falſe. This Conſequence is not good; for ſeeing they teach different Doctrines, they cannot both of them confirm their Doctrine with Miracles. But this I prove, (in the Place he citeth) that, whether either of their Doctrines ſhall be taught publicly or not, it is in the Power of the Sovereign of the Place only to determine. Nay, I ſay now further, if a Prophet come to any private Man in the Name of God, that Man ſhall be Judge whether he be a true Prophet or not, before he obey him. See 1 *John* iv. 1. Sixthly, whereas he ſays, that upon my Grounds Chriſt was to be reputed a falſe Prophet every where, becauſe his Doctrine was received no where: His Lordſhip had read my Book more negligently than was fit for one that would confute it. My Ground is this, that Chriſt in right of his Father was King of the *Jews*, and conſequently ſupreme Prophet, and Judge of all Prophets. What other Princes thought of his Prophecies, is nothing to the Purpoſe. I never ſaid that Princes can make Doctrines or Prophecies true or falſe; but I ſay, every Sovereign Prince has a Right to prohibit the public Teaching of them, whether falſe or true. But what an Overſight is it in a Divine to ſay, that Chriſt had the Approbation of no Sovereign Prince, when he had the Approbation of God, who was King of the *Jews*, and Chriſt his Viceroy, and the whole Scripture written, *John* xx. 31. to prove it? when his Miracles declared it; when *Pilate* confeſſed it; and when the Apoſtles Office was to proclaim it? Seventhly, if we muſt not conſider in Points of Chriſtian Faith who is the Sovereign Prophet, that is, who is next under Chriſt our ſupreme Head and Governor, I wiſh his Lordſhip would have cleared, ere he died, theſe few Queſtions. Is there not Need of ſome Judge of controverted Doctrines? I think no Man can deny it, that has ſeen the Rebellion that followed the Controverſy here between *Gomar* and *Arminius*. There muſt therefore be a Judge of Doctrines. But (ſays the Biſhop) not the King. Who then? Shall Dr. *Bramhall* be this

Judge? As profitable an Office as it is, he was more modeſt than to ſay that. Shall a private Layman have it? No Man ever thought that. Shall it be given to a *Presbyterian* Miniſter? No; 'tis unreaſonable. Shall a Synod of *Presbyterians* have it? No; for moſt of the *Presbyters* in the primitive Church were undoubtedly ſubordinate to Biſhops, and the reſt were Biſhops. Who then? A Synod of Biſhops? Very well. His Lordſhip being too modeſt to undertake the whole Power, would have been contented with the ſix and twentieth Part. But ſuppoſe it in a Synod of Biſhops, who ſhall call them together? The King. What if he will not? Who ſhould excommunicate him, or if he deſpiſe your Excommunication, who ſhall ſend forth a writ of *Significavit?* No; all this was far from his Lordſhip's Thoughts. The Power of the Clergy, unleſs it be upheld legally by the King, or illegally by the Multitude, amounts to nothing. But for the Multitude, *Suarez* and the Schoolmen will never gain them, becauſe they are not underſtood. Beſides there be very few Biſhops that can act a Sermon (which is a puiſſant Part of *Rhetoric)* ſo well as divers *Presbyterians* and *Phanatic* Preachers can do. I conclude therefore, that his Lordſhip could not poſſibly believe, that the ſupreme Judicature in Matter of Religion could any where be ſo well placed as in the Head of the Church, which is the King. And ſo his Lordſhip and I think the ſame Thing; but becauſe his Lordſhip knew not how to deduce it, he was angry with me becauſe I did it. He ſays further, that *by my Principles, he that blaſphemeth Chriſt at* Conſtantinople *is a true Prophet*, as if a Man that blaſphemeth Chriſt, to approve his Blaſphemy can procure a Miracle; for by my Principles, no Man is a Prophet whoſe Prophecy is not confirmed by God with a Miracle. In the laſt Place out of this, that the lawful Sovereign is the Judge of Prophecy, he deduces, that then *Samuel* and other Prophets were falſe Prophets that conteſted with their Sovereigns. As for *Samuel*, he was at that Time the Judge, that is to ſay, the Sovereign Prince in *Iſrael*, and ſo acknowledged by *Saul*. For *Saul* received the Kingdom (from God himſelf, who had Right to give and take it) by the Hands of *Samuel*. And God gave it him to himſelf only, and not to his Seed; though if he had obeyed God, he would have ſettled it alſo upon his Seed. The Commandment of God was, that he ſhould not ſpare *Agag: Saul* obeyed not: God therefore ſent *Samuel* to tell him that he was rejected. For all this *Samuel* went not about to reſiſt *Saul*. That he cauſed *Agag* to be ſlain, was with *Saul*'s Conſent. Laſtly, *Saul* confeſſes his Sin. Where is this conteſting with *Saul?* After this God ſent *Samuel* to anoint *David*, not that he ſhould depoſe *Saul*, but ſucceed him, the Sons of *Saul* having never had a Right of Succeſſion. Nor did ever *David* make War on *Saul*, or ſo much as reſiſt him, but fled from his Perſecution. But when *Saul* was dead, then indeed he claimed his Right againſt the Houſe of *Saul*. What Rebellion or Reſiſtance could his Lordſhip find here, either in *Samuel* or in *David?* Beſides, all theſe Tranſactions are ſupernatural, and oblige not to Imitation. Is there any Prophet or Prieſt now, that can ſet up in *England*, *Scotland*, or *Ireland*, another King by Pretence of Prophecy or Religion? What did *Jeroboam* to the Man of God, 1 *Kings* xiii. that propheſied againſt the Altar in *Bethel*, without firſt doing a Miracle, but offer to ſeize him for ſpeaking (as he thought) raſhly of the King's Act; and after the miraculous withering of his Hand, deſire the Prophet to pray for him? The Sin of *Jeroboam* was not his Diſtruſt of the Prophet, but his Idolatry. He was the ſole Judge of the Truth which the Man of God uttered againſt the Altar, and the Proceſs agreeable to Equity. What is the Story of *Elijah* and *Ahab*, 1 *Kings* xviii. but a Confirmation of the Right, even of *Ahab*, to be the Judge of Prophecy? *Elijah* told *Ahab*, he had tranſgreſſed the Commandment of God. So may any Miniſter now tell his Sovereign, ſo he do it with Sincerity and Diſcretion. *Ahab* told *Elijah* he troubled *Iſrael*. Upon this Controverſy *Elijah* deſired Trial. Send, ſaith he, and aſſemble all *Iſrael*; aſſemble alſo the Prophets of *Baal*, four hundred and fifty. *Ahab* did ſo. The Queſtion is ſtated before the People thus: If the Lord be God, follow him; but if *Baal*, follow him. Then upon the Altars of God and *Baal* were laid the Wood and the Bullocks; and the Cauſe was to be judged by Fire from Heaven, to burn the Sacrifices; which *Elijah* procured, the Prophets of *Baal* could not procure. Was not this Cauſe here pleaded before *Ahab*? The Sentence of *Ahab* is not required; for *Elijah* from that Time forward was no more perſecuted by *Ahab*, but only by his Wife *Jezabel*. The Story of *Micaiah*, 2 *Chron.* xviii. is this; *Ahab* King of *Iſrael* conſulted the Prophets, four hundred in Number, whether he ſhould proſper or not, in caſe he went with *Jehoſaphat* King of *Judah* to fight againſt the *Syrians* at *Ramoth-gilead*. The Prophet *Micaiah* was alſo called, and both the Kings *Ahab* and *Jehoſaphat* ſat together to hear what they ſhould propheſy. There was no Miracle done. The four hundred pronounced Victory, *Micaiah* alone the contrary. The King was Judge, and moſt concern'd in the Event; nor had he received any Revelation in the Buſineſs. What could he do more diſcreetly than to follow the Counſel of four hundred rather than of one Man? But the Event was contrary; for he was ſlain; but not for following the Counſel of the four hundred, but for his Murder of *Naboth*, and his Idolatry. It was alſo a Sin in him, that he afflicted *Micaiah* in Priſon; but an unjuſt Judgment does not take away from any King his Right of Judicature. Beſides, what's all this, or that of *Jeremiah*, which he cites laſt, to the Queſtion of who is Judge of Chriſtian Doctrine?

J. D. Neither doth he uſe God the Holy Ghoſt more favourably than God the Son. Where St. *Peter* ſaith, Holy Men of God ſpake as they were moved by the Holy Spirit; he ſaith, *By the Spirit, is meant the Voice of God in a Dream or Viſion ſupernatural.* Which Dreams or Viſions, he maketh to be no more than *Imaginations which they had in their Sleep, or in an Extaſy, which in every true Prophet were ſupernatural, but in falſe Prophets were either natural or feigned*, and more likely to be falſe than true. To ſay *God hath ſpoken to him in a Dream, is no more than to ſay, he dreamed that God ſpake to him*, &c. *To ſay he hath ſeen a Viſion or heard a Voice, is to ſay, that he hath dreamed between ſleeping and waking.* So St. *Peter*'s Holy Ghoſt is come to be their own Imaginations, which might be either feigned, or miſtaken, or true. As if the Holy Ghoſt did enter only at their Eyes, and at their Ears, not into their Underſtandings, nor into their Minds; or as if the Holy Ghoſt did not ſeal unto their Hearts the Truth and Aſſurance of their Prophecies. Whether a new Light be infuſed into their Underſtandings, or new Graces be inſpired into their Heart, they are wrought, or cauſed, or created, immediately by the Holy Ghoſt; and ſo are his *Imaginations*, if they be ſupernatural.

T. H. For the Places of my *Leviathan* he cites, they are all as they ſtand both true and clearly proved; the ſetting of them down by Fragments is no Refutation; nor offers he any Argument againſt them. His Conſequences are not deduced. I never ſaid, that the Holy Ghoſt was an Imagination, or a Dream, or a Viſion, but that the Holy Ghoſt ſpake moſt often in the Scripture by Dreams and Viſions ſupernatural. The next Words of his, *As if the Holy Ghoſt did enter only at their Eyes, and at their Ears, not into their Underſtandings, nor into their Minds*, I let paſs, becauſe I cannot underſtand them. His laſt Words, *Whether new Light, &c.* I underſtand and approve.

J. D. But he muſt needs fall into theſe Abſurdities, who maketh but a Jeſt of Inſpiration. *They who pretend Divine Inſpiration to be a ſupernatural entering of the Holy Ghoſt into a Man, are (as he thinks) in a very dangerous Dilemma; for if they worſhip not the Men whom they conceive to be inſpired, they fall into Impiety; and if they worſhip them, they commit Idolatry.* So miſtaking the Holy Ghoſt to be corporeal, ſomething that is blown into a Man, and the Graces of the Holy Ghoſt to be corporeal Graces. And *the Words, inpoured or infuſed Virtue, and, inblown or inſpired Virtue, are as abſurd and inſignificant, as a round Quadrangle.* He reckons it as a common Error, That *Faith and Sanctity are not attained by Study and Reaſon, but by ſupernatural Inſpiration or Infuſion:* And layeth this for a firm Ground; *Faith and Sanctity are indeed not very frequent, but yet they are not Miracles,*

racles, but brought to paſs by Education, Diſcipline, Correction, and other natural Ways. I would ſee the greateſt *Pelagian* of them all fly higher.

T. H. I make here no Jeſt of Inſpiration. Seriouſly, I ſay, that in the proper Signification of the Words *Inſpiration* and *Infuſion,* to ſay Virtue is inſpired, or infuſed, is as abſurd as to ſay a Quadrangle is round. But metaphorically, for God's beſtowing of Faith, Grace, or other Virtue, thoſe Words are intelligible enough.

J. D. Why ſhould he trouble himſelf about the Holy Spirit, who acknowledgeth no Spirit but either a ſubtil fluid Body, or a Ghoſt, or other Idol or Phantaſm of the Imagination; who knoweth no inward Grace or intrinſical Holineſs? *Holy is a Word which in God's Kingdom anſwereth to that which Men in their Kingdoms uſe to call Public, or the King's.* And again, *Whereſoever the Word Holy is taken properly, there is ſtill ſomething ſignified of Propriety gotten by Conſent.* His Holineſs is a Relation, not a Quality; for inward Sanctification, or real infuſed Holineſs, in reſpect whereof the third Perſon is called the Holy Ghoſt, becauſe he is not only holy in himſelf, but alſo maketh us holy, he is ſo great a Stranger to it, that he doth altogether deny it, and diſclaim it.

T. H. The Word *Holy* I had defined in the Words which his Lordſhip here ſets down, and by the Uſe thereof in the Scripture made it manifeſt, that that was the true Signification of the Word. There is nothing in Learning more difficult than to determine the Signification of Words. That Difficulty excuſes him. He ſays that *Holineſs,* in my Senſe, is a Relation, not a Quality. All the Learned agree that Quality is an Accident; ſo that in attributing to God *Holineſs,* as a Quality, he contradicts himſelf: for he has in the beginning of this his Diſcourſe denied (and rightly) that any Accident is in God, ſaying whatſoever is in God is the Divine Subſtance. He affirms alſo, that to attribute any Accident to God, is to deny the Simplicity of the Divine Subſtance. And thus his Lordſhip makes God, as I do, a corporeal Spirit. Both here, and throughout, he diſcovers ſo much Ignorance, as had he charged me with Error only, and not with Atheiſm, I ſhould not have thought it neceſſary to anſwer him.

J. D. We are taught in our Creed to believe the catholic or univerſal Church; but *T. H.* teacheth us the contrary, *That if there be more Chriſtian Churches than one, all of them together are not one Church perſonally.* And more plainly, *Now if the whole Number of Chriſtians be not contained in one Commonwealth, they are not one Perſon, nor is there an univerſal Church, that hath any Authority over them.* And again, *The univerſal Church is not one Perſon, of which it can be ſaid, that it hath done, or decreed, or ordained, or excommunicated, or abſolved.* This doth quite overthrow all the Authority of general Councils.

All other Men diſtinguiſh between the Church and the Commonwealth; only *T. H.* maketh them to be one and the ſame Thing. *The Commonwealth of Chriſtian Men, and the Church of the ſame, are altogether the ſame Thing, called by two Names, for two Reaſons. For the Matter of the Church and of the Commonwealth is the ſame, namely, the ſame Chriſtian Men; and the Form is the ſame, which conſiſteth in the lawful Power of convocating them.* And hence he concludeth, That *every Chriſtian Commonwealth is a Church endowed with all ſpiritual Authority.* And yet more fully, *The Church, if it be one Perſon, is the ſame Thing with the Commonwealth of Chriſtians, called a Commonwealth, becauſe it conſiſteth of Men united in one Perſon their Sovereign; and a Church, becauſe it conſiſteth in Chriſtian Men united in one Chriſtian Sovereign.*

T. H. For Anſwer to this Period, I ſay only this, That taking the Church, as I do in all thoſe Places, for a Company of Chriſtian Men on Earth incorporated into one Perſon, that can ſpeak, command, or do any Act of a Perſon, all that he citeth out of what I have written is true; and that all private Conventicles, though their Belief be right, are not properly called Churches; and that there is not any one univerſal Church here on Earth, which is a Perſon indued with Authority univerſal, to govern all Chriſtian Men on Earth; no more than there is one univerſal Sovereign Prince or State on Earth that hath Right to govern all Mankind. I deny alſo that the whole Clergy of a Chriſtian Kingdom or State being aſſembled, are the Repreſentative of that Church, further than the Civil Laws permit; or can lawfully aſſemble themſelves, unleſs by the Command or by the Leave of the Sovereign Civil Power. I ſay further, that the Denial of this Point tendeth in *England* towards the taking away the King's Supremacy in Cauſes eccleſiaſtical. But his Lordſhip has not here denied any thing of mine, becauſe he has done no more but ſet down my own Words. He ſays further, that this Doctrine deſtroys the Authority of all Councils; which I confeſs. Nor hath any General Council at this Day in this Kingdom the Force of a Law, nor ever had, but by the Authority of the King.

J. D. Neither is he more orthodox concerning the Holy Scriptures: *Hitherto,* that is, *for the* Books of *Moſes, the Power of making the Scripture canonical, was in the Civil Sovereign.* The like he ſaith of the Old Teſtament made canonical by *Eſdras.* And of the New Teſtament, That *it was not the Apoſtles which made their own Writings canonical, but every Convert made them ſo to himſelf.* Yet with this Reſtriction, That *until the Sovereign Ruler had preſcribed them, they were but Counſel and Advice, which whether good or bad, he that was counſelled might without Injuſtice refuſe to obſerve, and being contrary to the Laws eſtabliſhed, could not without Injuſtice obſerve.* He maketh the Primitive Chriſtians to have been in a pretty Condition. Certainly the Goſpel was contrary to the Laws then eſtabliſhed. But moſt plainly, *The Word of the Interpreter of the Scripture is the Word of God.* And the *ſame is the Interpreter of the Scripture, and the Sovereign Judge of all Doctrines,* that is, the Sovereign Magiſtrate, *to whoſe Authority we muſt ſtand no leſs, than to theirs, who at firſt did commend the Scripture to us for the Canon of Faith.* Thus if Chriſtian Sovereigns, of different Communications, do claſh one with another, in their Interpretations, or Miſrepreſentation of Scripture, (as they do daily) then the Word of God is contradictory to itſelf; or that is the Word of God in one Commonwealth, which is the Word of the Devil in another Commonwealth. And the ſame thing may be true, and not true, at the ſame time: which is the peculiar Privilege of *T. H.* to make Contradictories to be true together.

T. H. There is no Doubt, but by what Authority the Scripture or any other Writing is made a Law, by the ſame Authority the Scriptures are to be interpreted, or elſe they are made Law in vain. But to obey is one thing, to believe is another; which Diſtinction perhaps his Lordſhip never heard of. To obey, is to do or forbear as one is commanded, and depends on the Will; but to believe, depends not on the Will, but on the Providence and Guidance of our Hearts that are in the Hands of God Almighty. Laws only require Obedience; Belief requires Teachers, and Arguments drawn either from Reaſon, or from ſome thing already believed. Where there is no Reaſon for our Belief, there is no Reaſon we ſhould believe. The Reaſon why Men believe, is drawn from the Authority of thoſe Men whom we have no juſt Cauſe to miſtruſt, that is, of ſuch Men to whom no Profit accrues by their deceiving us, and of ſuch Men as never uſed to lye, or elſe from the Authority of ſuch Men, whoſe Promiſes, Threats, and Affirmations, we have ſeen confirmed by God with Miracles. If it be not from the King's Authority, that the Scripture is Law, what other Authority makes it Law? Here ſome Man being of his Lordſhip's Judgment, will perhaps laugh and ſay, 'tis the Authority of God that makes them Law. I grant that. But my Queſtion is, on what Authority they believe that God is the Author of them? Here his Lordſhip would have been at a Nonplus, and turning round, would have ſaid the Authority of the Scripture makes good that God is their Author. If it be ſaid we are to believe the Scripture upon the Authority of the Univerſal Church, why are not the Books we call Apocrypha the Word of God as well as the reſt? If this Authority be in the Church of *England,* then it is not any other than the Authority of the Head of the Church, which is the King. For without the Head the Church is mute, the Authority therefore is in the King; which is all that I contend for in this Point. As to the

Laws of the Gentiles, concerning Religion in the primitive Times of the Church, I confeſs they were contrary to Chriſtian Faith. But none of their Laws, nor Terrors, nor a Man's own Will, are able to take away Faith, though they can compel to an external Obedience; and though I may blame the *Ethnic* Princes for compelling Men to ſpeak what they thought not, yet I abſolve not all thoſe that have had the Power in Chriſtian Churches from the ſame Fault. For I believe ſince the Time of the firſt four General Councils, there have been more Chriſtians burnt and kill'd in the Chriſtian Church by eccleſiaſtical Authority, than by the Heathen Emperors Laws for Religion only without Sedition. All that the Biſhop does in this Argument is but a heaving at the King's Supremacy. Oh, but (ſays he) if two Kings interpret a Place of Scripture in contrary Senſes, it will follow that both Senſes are true. It does not follow. For the Interpretation, though it be made by juſt Authority, muſt not therefore always be true. If the Doctrine in the one Senſe be neceſſary to Salvation, then they that hold the other muſt die in their Sins, and be damned. But if the Doctrine in neither Senſe be neceſſary to Salvation, then all is well, except perhaps that they will call one another Atheiſts, and fight about it.

J. D. All the Power, Virtue, Uſe and Efficacy, which he aſcribeth to the holy Sacraments, is to be *Signs* or *Commemorations*. As for any ſealing, or confirming, or conferring of Grace, he acknowledgeth nothing. The ſame he ſaith particularly of Baptiſm: Upon which Grounds a Cardinal's red Hat, or a Serjeant at Arms's Mace, may be called Sacraments as well as Baptiſm, or the holy Euchariſt, if they be only Signs and Commemorations of a Benefit. If he except, that Baptiſm and the Euchariſt, are of divine Inſtitution; but a Cardinal's red Hat, or a Serjeant at Arms's Mace are not; he ſaith truly, but nothing to his Advantage or Purpoſe, ſeeing he deriveth all the Authority of the Word and Sacraments, in reſpect of Subjects, and all our Obligation to them, from the Authority of the Sovereign Magiſtrate, without which theſe Words *repent, and be baptized in the Name of Jeſus*, are but Counſel, no Command. And ſo a Serjeant at Arms's Mace, and Baptiſm, proceed both from the ſame Authority. And this he ſaith upon this ſilly Ground, *That nothing is a Command, the Performance whereof tendeth to our own Benefit*. He might as well deny the Ten Commandments to be Commands, becauſe they have an advantageous Promiſe annexed to them, *Do this and thou ſhalt live*; and *Curſed is every one that continueth not in all the Words of this Law to do them*.

T. H. Of the Sacraments I ſaid no more, than that they are *Signs* or *Commemorations*. He finds Fault that I add not *Seals*, *Confirmations*, and that they *confer Grace*. Firſt, I would have aſked him if a Seal be any thing elſe beſides a Sign, whereby to remember ſomewhat, as that we have promiſed, accepted, acknowledged, given, undertaken ſomewhat. Are not other *Signs*, though without a *Seal*, of Force ſufficient to convince me or oblige me? A Writing obligatory, or Releaſe, ſigned only with a Man's Name, is as obligatory as a Bond ſigned and ſealed, if it be ſufficiently proved, though peradventure it may require a longer Proceſs to obtain a Sentence; but his Lordſhip I think knew better than I do the Force of Bonds and Bills; yet I know this, that in the Court of Heaven there is no ſuch Difference between ſaying, ſigning, and ſealing, as his Lordſhip ſeemeth here to pretend. I am baptized for a Commemoration that I have enrolled myſelf. I take the Sacrament of the Lord's Supper to commemorate that Chriſt's Body was broken, and his Blood ſhed for my Redemption. What is there more intimated concerning the Nature of theſe Sacraments, either in the Scripture or in the Book of Common Prayer? Have Bread, and Wine, and Water, in their own Nature, any other Quality than they had before the Conſecration? It is true that the Conſecration gives theſe Bodies a new Relation, as being a giving and dedicating of them to God, that is to ſay, a making of them holy, not a changing of their Quality. But as ſome ſilly young Men returning from *France* affect a broken *Engliſh*, to be thought perfect in the *French* Language; ſo his Lordſhip (I think) to ſeem a perfect Underſtander of the unintelligible Language of the Schoolmen, pretends an Ignorance of his Mother-tongue. He talks here of *Command* and

Counſel as if he were no *Engliſhman*, nor knew any Difference between their Significations. What *Engliſhman* when he commandeth, ſays more than, Do this; yet he looks to be obeyed, if Obedience be due unto him. But when he ſays, *Do this*, and *thou ſhalt have ſuch or ſuch a Reward*, he encourages him, but commands him not. Oh, the Underſtanding of a Schoolman.

J. D. Sometimes he is for holy Orders, and giveth to the Paſtors of the Church the Right of Ordination and Abſolution, and Infallibility, too much for a particular Paſtor, or the Paſtors of one particular Church. *It is manifeſt, that the Conſecration of the chiefeſt Doctors in every Church, and Impoſition of Hands, doth pertain to the Doctors of the ſame Church.* And, *it cannot be doubted of, but the Power of binding and looſing was given by Chriſt to the future Paſtors, after the ſame Manner as to his preſent Apoſtles*, And, *our Saviour hath promiſed this Infallibility in thoſe Things which are neceſſary to Salvation, to his Apoſtles, until the Day of Judgment, that is to ſay, to the Apoſtles and Paſtors to be conſecrated by the Apoſtles ſucceſſively, by the Impoſition of Hands.*

But at other Times he caſteth all this Meal down with his Foot. *Chriſtian Sovereigns are the ſupreme Paſtors, and the only Perſons whom Chriſtians now hear ſpeak from God, except ſuch as God ſpeaketh to in theſe Days ſupernatually.* What is now become of the promiſed Infallibility?

And, *it is from the Civil Sovereign that all other Paſtors derive their Right of Teaching, Preaching, and all other Functions pertaining to that Office, and they are but his Miniſters in the ſame Manner as the Magiſtrates of Towns, or Judges in Courts of Juſtice, and Commanders of Armies.* What is now become of their Ordination? Magiſtrates, Judges, and Generals, need no precedent Qualifications. He maketh *the Paſtoral Authority of Sovereigns to be* Jure Divino, *of all other Paſtors* Jure Civili: He addeth, *neither is there any Judge of Hereſy among Subjects, but their own Civil Sovereign.*

Laſtly, *the Church excommunicateth no Man but whom ſhe excommunicateth by the Authority of the Prince.* And *the Effect of Excommunication hath nothing in it, neither of Damage in this World, nor Terror upon an Apoſtate, if the Civil Power did perſecute or not aſſiſt the Church. And in the World to come, leaves them in no worſe Eſtate than thoſe who never believed. The Damage rather redoundeth to the Church. Neither is the Excommunication of a Chriſtian Subject, that obeyeth the Laws of his own Sovereign, of any Effect.* Where is now their Power of binding and looſing?

T. H. Here his Lordſhip condemneth, firſt my too much Kindneſs to the Paſtors of the Church; as if I aſcribed Infallibility to every particular Miniſter, or at leaſt to the Aſſembly of the Paſtors of a particular Church. But he miſtakes me, I never meant to flatter them ſo much. I ſay only, that the Ceremony of Conſecration, and Impoſition of Hands, belongs to them; and that alſo no otherwiſe than as given them by the Laws of the Commonwealth. The Biſhop conſecrates, but the King both makes him Biſhop, and gives him his Authority. The Head of the Church not only gives the Power of Conſecration, Dedication, and Benediction, but may alſo exerciſe the Act himſelf if he pleaſe. *Solomon* did it, and the Book of Canons ſays, That the King of *England* has all the Right that any good King of *Iſrael* had. It might have added, that any other King or Sovereign Aſſembly had in their own Dominions. I deny that any Paſtor, or any Aſſembly of Paſtors in any particular Church, or all the Churches on Earth though united, are infallible. Yet I ſay the Paſtors of a Chriſtian Church aſſembled are in all ſuch Points as are *neceſſary to Salvation*. But about what Points are *neceſſary to Salvation*, he and I differ. For I in Chap. XLIII. of my *Leviathan* have proved, that this Article, *Jeſus is the Chriſt*, is the *unum neceſſarium, the only Article neceſſary to Salvation*; to which his Lordſhip hath not offered any Objection. And he (it ſeems) would have neceſſary to Salvation every Doctrine he himſelf thought ſo. Doubtleſs in this Article, *Jeſus is the Chriſt*, every Church is infallible; for elſe it were no Church. Then he ſays, I overthrow this again, by ſaying, that Chriſtian Sovereigns are the *ſupreme Paſtors*, that is, Heads of their own Churches; *That they have their Authority* Jure Divino; *That*

That all other Paſtors have it Jure Civili: How came any Biſhop to have Authority over me, but by Letters Patents from the King? I remember a Parliament wherein a Biſhop, who was both a good Preacher and a good Man, was blamed for a Book he had a little before publiſhed in Maintenance of the *Jus Divinum* of Biſhops; a thing which before the Reformation here, was never allowed them by the Pope. Two *Jus Divinums* cannot ſtand together in one Kingdom. In the laſt place he miſlikes that the Church ſhould excommunicate by Authority of the King, that is to ſay, by Authority of the Head of the Church. But he tells not why. He might as well miſlike that the Magiſtrates of the Realm ſhould execute their Offices by the Authority of the Head of the Realm. His Lordſhip was in a great Error, if he thought ſuch Incroachments would add any thing to the Wealth, Dignity, Reverence or Continuance of his Order. They are Paſtors of Paſtors, but yet they are the Sheep of him that is on Earth their Sovereign Paſtor, and he again a Sheep of that ſupreme Paſtor which is in Heaven. And if they did their paſtoral Office, both by Life and Doctrine, as they ought to do, there could never ariſe any dangerous Rebellion in the Land. But if the People ſee once any Ambition in their Teachers, they will ſooner learn that, than any other Doctrine; and from Ambition proceeds Rebellion.

J. D. It may be ſome of *T. H.* his Diſciples Deſire to know what Hopes of heavenly Joys they have upon their Maſter's Principles. They may hear them without any great Contentment, *There is no Mention in Scripture, nor Ground in Reaſon, of the* Cœlum Empyræum, that is, the Heaven of the Bleſſed, where the Saints ſhall live eternally with God. And again, *I have not found any Text that can probably be drawn to prove any Aſcenſion of the Saints into Heaven, that is to ſay, into any* Cœlum Empyræum. But he concludeth poſitively, that *Salvation ſhall be upon Earth, when God ſhall reign at the Coming of* Chriſt *in* Jeruſalem. And again, *In ſhort, the Kingdom of God is a Civil Kingdom,* &c. called alſo *the Kingdom of Heaven, and the Kingdom of Glory.* All the *Hobbians* can hope for, is, to be reſtored to the ſame Condition which *Adam* was in before his Fall. So ſaith *T. H.* himſelf, *From whence may be inferred, that the Elect, after the Reſurrection, ſhall be reſtored to the Eſtate wherein* Adam *was before he had ſinned.* As for the beatifical Viſion he defineth it to be a Word unintelligible.

T. H. This *Cœlum Empyræum* for which he pretendeth ſo much Zeal, where is it in the Scripture, where in the Book of Common Prayer, where in the Canons, where in the Homilies of the Church of *England,* or in any Part of our Religion? What has a Chriſtian to do with ſuch Language? Nor do I remember it in *Ariſtotle*. Perhaps it may be in ſome Schoolman or Commentator on *Ariſtotle*; and his Lordſhip makes it in *Engliſh,* the *Heaven of the Bleſſed*; as if *Empyræum* ſignified, *that which belongs to the Bleſſed.* St. *Auſtin* ſays better; that after the Day of Judgment, all that is not Heaven ſhall be Hell. Then for *beatifical Viſion,* how can any Man underſtand it, that knows from the Scripture, that no Man ever ſaw, or can ſee God. Perhaps his Lordſhip thinks, that the Happineſs of the Life to come is not real, but a Viſion. As for the reſt I have anſwered to it already.

J. D. But conſidering his other Principles, I do not marvel much at his Extravagance in this Point. To what Purpoſe ſhould a *Cœlum Empyræum,* or Heaven of the Bleſſed, ſerve in his Judgment, who maketh the bleſſed Angels, that are the Inhabitants of that happy Manſion, to be either Idols of the Brain, that is in plain *Engliſh,* nothing, or thin, ſubtil, fluid Bodies, deſtroying the Angelical Nature. *The Univerſe being the Aggregate of all Bodies, there is no real Part thereof that is not alſo Body.* And elſewhere, *Every Part of the Univerſe is Body, and that which is not Body, is no Part of the Univerſe. And becauſe the Univerſe is all, that which is no Part of it is nothing, and conſequently no where.* How? By this Doctrine he maketh not only the Angels, but God himſelf to be nothing. Neither doth he ſalve it at all, by ſuppoſing erroneouſly Angels to be corporeal Spirits, and by attributing the Name of incorporeal Spirit to God, *as being a Name of* *more Honour, in whom we conſider not what Attribute beſt expreſſeth his Nature, which is incomprehenſible, but what beſt expreſſeth our Deſire to honour him.* Though we be not able to comprehend perfectly what God is, yet we are able perfectly to comprehend what God is not, that is, he is not imperfect, and therefore he is not finite, and conſequently he is not corporeal. This were a trim Way to honour God indeed, to honour him with a Lye. If this that he ſays here be true, that *every Part of the Univerſe is a Body, and whatſoever is not a Body is nothing*; then by this Doctrine, if God be not a Body, God is nothing; not an incorporeal Spirit, but *one of the Idols of the Brain*, a mere Nothing, though they think they dance under a Net, and have the Blind of God's Incomprehenſibility between them and Diſcovery.

T. H. This of *incorporeal Subſtance* he urged before, and there I anſwered it. I wonder he ſo often rolls the ſame Stone. He is like *Syſiphus* in the Poets Hell, that there rolls a heavy Stone up a Hill, which no ſooner he brings to Daylight, than it ſlips down again to the Bottom, and ſerves him ſo perpetually. For ſo his Lordſhip rolls this and other Queſtions, with much ado, till they come to the Light of Scripture, and then they vaniſh; and he vexing, ſweating, and railing, goes to't again, to as little Purpoſe as before. From what I ſay of the Univerſe he infers, that I make God to be nothing: But infers it abſurdly. He might indeed have inferred, that I make him a corporeal, but yet a pure Spirit. I mean by the Univerſe, the Aggregate of all Things that have Being in themſelves, and ſo do all Men elſe. And becauſe God has a Being, it follows that he is either the whole Univerſe, or Part of it. Nor does his Lordſhip go about to diſprove it, but only ſeems to wonder at it.

J. D. To what Purpoſe ſhould a *Cælum Empyræum* ſerve in his Judgment, who denieth the Immortality of the Soul? *The Doctrine is now, and hath been a long Time far otherwiſe*; *namely, that every Man hath Eternity of Life by Nature, inaſmuch as his Soul is immortal.* Who ſuppoſeth, that *when a Man dieth, there remaineth nothing of him but his Carcaſe?* Who maketh the Word *Soul*, in holy Scripture, to ſignify always either the Life, or the Living Creature; and expoundeth the caſting of Body and Soul into Hell-Fire, to be *the caſting of Body and Life into Hell-Fire?* Who maketh this orthodox Truth, that the Souls of Men are Subſtances diſtinct from their Bodies, to be *an Error contracted by the Contagion of the Dæmonology of the* Greeks, *and a Window that gives Entrance to the dark Doctrine of eternal Torments?* Who expoundeth theſe Words of *Solomon*, [*Then ſhall the Duſt return to the Earth as it was, and the Spirit ſhall return to God that gave it,*] thus, *God only knows what becomes of a Man's Spirit, when he expireth?* He will not acknowledge that there is a Spirit, or any Subſtance diſtinct from the Body. I wonder what they think doth keep their Bodies from ſtinking.

T. H. He comes here to that which is a great Paradox in School Divinity. The Grounds of my Opinion are the canonical Scripture, and the Texts which I cited I muſt again recite, to which I ſhall alſo add ſome others. My Doctrine is this, firſt, *That the Elect in* Chriſt, *from the Day of Judgment forward, by Virtue of* Chriſt*'s Paſſion and Victory over Death, ſhall enjoy eternal Life, that is, they ſhall be immortal.* Secondly, *That there is no living Soul ſeparated in Place from the Body, more than there is a living Body ſeparated from the Soul.* Thirdly, *That the Reprobate ſhall be revived to Judgment, and ſhall die a ſecond Death in Torments, which Death ſhall be everlaſting.* Now let us conſider what is ſaid to theſe Points in the Scripture, and what is the Harmony therein of the Old and New Teſtament.

And firſt, becauſe the Word *immortal Soul* is not found in the Scriptures, the Queſtion is to be decided by evident Conſequences from the Scripture. The Scripture ſaith of God expreſly, 1 *Tim.* vi. 16. That *He only hath Immortality, and dwelleth in inacceſſible Light.* Hence it followeth, that the Soul of Man is not of its own Nature immortal, but by Grace, that is to ſay, by the Gift of God. And then the Queſtion will be, whether this Grace or Gift of God were beſtowed on the Soul in the Creation and Conception of the Man, or afterwards by his Redemption? Another Queſtion will be, in what Senſe Immortality of Torments can be called a Gift, when all Gifts ſuppoſe the thing given to be grateful to the Receiver? To the firſt of theſe, Chriſt himſelf ſaith, *Luke* xiv. 13, 14. *When thou makeſt a Feaſt, call the poor, the maimed, the lame, the blind, and thou ſhalt be bleſſed, for they cannot recompenſe thee; for thou ſhalt be recompenſed at the Reſurrection of them that be juſt.* It follows hence, that the Reward of the Elect is not before the Reſurrection. What Reward then enjoys a ſeparated Soul in Heaven, or any where elſe till that Day come, or what has he to do there till the Body riſe again? Again, St. *Paul* ſays, *Rom.* ii. 6. 7. *God will render to every Man according to his Works. To them who by patient Continuance in well-doing, ſeek for Honour, Glory, and Immortality, eternal Life. But unto them that be contentious, and do not obey the Truth, but obey Unrighteouſneſs, Indignation and Wrath.* Here it is plain that God gives eternal Life only to Well-doers, and to them that ſeek (not to them that have already) Immortality. Again, 1 *Tim.* i. 10. *Chriſt hath aboliſhed Death, and brought Life and Immortality to Light, through the Goſpel.* Therefore before the Goſpel of Chriſt, nothing was immortal but God. And St. *Paul* ſpeaking of the Day of Judgment, 1 *Cor.* xv. 54. ſaith, that *This Mortal ſhall put on Immortality,* and *that then Death is ſwallowed in Victory.* There was no Immortality of any thing mortal till Death was overcome, and that was at the Reſurrecton. And, *John* viii. 52. *Verily, Verily, if a Man keep my Sayings he ſhall never ſee Death,* that is to ſay, he ſhall be immortal; but it is no where ſaid, that he which keeps not Chriſt's Sayings ſhall never ſee Death, nor be immortal, and yet they that ſay that the wicked, Body and Soul, ſhall be tormented everlaſtingly, do therein ſay they are immortal. *Matt.* x. 28. *Fear not them that can kill the Body, but are not able to kill the Soul; but fear him that is able to deſtroy both Soul and Body in Hell.* Man cannot kill a Soul, for the Man killed ſhall revive again. But God can deſtroy the Soul and Body in Hell, as that it ſhall never return to Life. In the Old Teſtament we read, *Gen.* vii. 4. *I will deſtroy every living Subſtance that I have made from off the Face of the Earth;* therefore if the Souls of them that periſhed in the Flood were Subſtances, they were alſo deſtroyed in the Flood, and were not immortal. *Matt.* xxv. 41. *Depart from me ye curſed into everlaſting Fire, prepared for the Devil and his Angels.* Theſe Words are to be ſpoken in the Day of Judgment, which Judgment is to be in the Clouds. And there ſhall ſtand the Men that are reprobated alive, where Souls according to his Lordſhip's Doctrine were ſent long before to Hell. Therefore at that preſent Day of Judgment, they had one Soul by which they were there alive, and another Soul in Hell. How his Lordſhip could have maintained this, I underſtand not. But by my Doctrine, that the Soul is not a ſeparated Subſtance, but that the Man at his Reſurrection ſhall be revived by God, and raiſed to Judgment, and afterwards Body and Soul deſtroyed in Hell Fire, (which is the ſecond Death) there is no ſuch Conſequence or Difficulty to be inferred. Beſides, it avoids the unneceſſary Diſputes about where the Soul of *Lazarus* was for four Days he lay dead. And the Order of the divine Proceſs is made good, of not inflicting Torments before the Condemnation pronounced.

Now as to the Harmony of the two Teſtaments, it is ſaid in the Old, *Gen.* ii. 17. *In the Day that thou eateſt of the Tree of Knowledge, dying thou ſhalt die. Moriendo morieris,* that is, when thou art dead thou ſhalt not revive; for ſo hath *Athanaſius* expounded it. Therefore *Adam* and *Eve* were not immortal by their Creation. Then, *Gen.* iii. 22. *Behold the Man is become as one of us.——Now leſt he put forth his Hand and take alſo of the Tree of Life, and eat, and live for ever,* &c. Here they had had an Immortality by the Gift of God, if they had not ſinned. It was therefore Sin that loſt them eternal Life. He therefore that redeemed them from Sin was the Author of their Immortality, and conſeqnently began in the Day of Judgment, when *Adam* and *Eve* were again made alive by Admiſſion to the new Tree of Life, which was Chriſt.

Now let us compare this with the New Teſtament; where we find theſe Words, 1 *Cor*. xv. 21. *Since by Man came Death, by Man came alſo the Reſurrection of the Dead.* Therefore all the Immortality of the Soul, that ſhall be after the Reſurrection, is by *Chriſt*, and not by the Nature of the Soul. Verſe 22. *As by Adam all die, even ſo in Chriſt ſhall all be made alive.* Therefore ſince we died by *Adam*'s Sin, ſo we ſhall live by *Chriſt*'s Redemption of us, that is, after the Reſurrection. Again, Verſe 23. *But every Man in his Order; Chriſt the firſt Fruits, afterwards they that are Chriſt's, at his Coming:* Therefore none ſhall be made alive till the Coming of *Chriſt*. Laſtly, as when God had ſaid, *That Day that thou eateſt of the Tree of Knowledge of Good and Evil, thou ſhalt die*, though he condemned him then, yet he ſuffered him to live a long Time after; ſo when *Chriſt* had ſaid to the Thief on the Croſs, *This Day thou ſhalt be with me in Paradiſe*, yet he ſuffered him to lie dead till the general Reſurrection; for no Man roſe again from the Dead before our Saviour's Coming, and conquering Death.

If God beſtowed Immortality on every Man then when he made him, and he made many to whom he never purpoſed to give his ſaving Grace, what did his Lordſhip think that God gave any Man Immortality, with Purpoſe only to make him capable of immortal Torments?' Tis a hard Saying, and I think cannot piouſly be believed. I am ſure it can never be proved by the canonical Scripture.

But though I have made it clear that it cannot be drawn by lawful Conſequence from Scripture, that Man was created with a Soul immortal, and that the Elect only, by the Grace of God in *Chriſt*, ſhall both Bodies and Souls, from the Reſurrection forward, be immortal; yet there may be a Conſequence well drawn from ſome Words in the Rites of Burial, that prove the contrary, as theſe: *Foraſmuch as it hath pleaſed Almighty God, of his great Mercy, to take unto himſelf the Soul of our dear Brother here departed*, &c. And theſe: *Almighty God, with whom do live the Spirits of them that depart hence in the Lord:* Which are Words authoriſed by the Church. I wonder his Lordſhip, that had ſo often pronounced them, took no notice of them here. But it often happens that Men think of thoſe Things leaſt, which they have moſt perfectly learnt by Rote. I am ſorry I could not, without deſerting the Senſe of Scripture and mine own Conſcience, ſay the ſame. But I ſee no juſt Cauſe yet, why the Church ſhould be offended at it. For the Church of *England* pretendeth not, as doth the Church of *Rome*, to be above the Scripture, nor forbiddeth any Man to read the Scripture; nor was I forbidden when I wrote my *Leviathan*, to publiſh any thing which the Scriptures ſuggeſted. For when I wrote it, I may ſafely ſay there was no lawful Church in *England*, that could have maintained me in, or prohibited me from writing any thing. There was no Biſhop, and though there were Preaching, ſuch as it was, yet no Common-Prayer: For Extemporary Prayer, though made in the Pulpit, is not Common-Prayer. There was then no Church in *England*, that any Man living was bound to obey. What I write here at this preſent Time I am forced to in my Defence, not againſt the Church, but againſt the Accuſations and Arguments of my Adverſaries. For the Church, though it excommunicates for ſcandalous Life, and for teaching falſe Doctrines, yet it profeſſeth to impoſe nothing to be held as Faith, but what may be warranted by Scripture, and this the Church itſelf ſaith in the twentieth of the thirty-nine Articles of Religion. And therefore I am permitted to alledge Scripture at any time in the Defence of my Belief.

J. D. But they that in one Caſe are grieved, in another muſt be relieved. If perchance *T. H.* hath given his Diſciples any Diſcontent in his Doctrine of *Heaven* and the *holy* Angels, and *the glorified Souls of the Saints*, he will make them amends in his Doctrine of *Hell*, and the *Devils*, and the *damned Spirits*. Firſt of the Devils; he fancieth that all thoſe Devils which our Saviour did caſt out, were Phrenſies, and all *Dæmoniacs* (or Perſons poſſeſſed) *no other than Madmen*. And to juſtify *our Saviour's ſpeaking to a Diſeaſe as to a Perſon*, produceth the Example of Inchanters. But he declareth himſelf moſt clearly upon this Subject, in his Animadverſions upon my Reply to his Defence of fatal Deſtiny. *There are* *in the Scripture two ſorts of Things which are in* Engliſh *tranſlated Devils.* One is *that which is called* Satan, Diabolus, Abaddon, *which ſignifieth in* Engliſh *an Enemy, an Accuſer, and a Deſtroyer of the Church of God, in which Senſe the Devils are but wicked Men. The other ſort of Devils are called in the Scripture* Dæmonia, *which are the feigned Gods of the Heathen, and are neither Bodies nor ſpiritual Subſtances, but mere Fancies and Fictions of terrified Hearts, feigned by the* Greeks, *and other heathen People, which St.* Paul *calleth Nothings.* So *T. H.* hath killed the great infernal Devil, and all his black Angels, and left no Devils to be feared, but Devils incarnate, that is, wicked Men.

T. H. As for the firſt Words cited, I refer the Reader to the Place itſelf; and for the Words concerning Satan, I leave them to the Judgment of the Learned.

J. D. And for *Hell*, he deſcribeth the *Kingdom of Satan*, or the *Kingdom of Darkneſs*, to be *a Confederacy of Deceivers.* He telleth us, that the Places which ſet forth the Torments of Hell in holy Scripture, *do deſign metaphorically a Grief and Diſcontent of Mind, from the Sight of that eternal Felicity in others, which they themſelves, through their own Incredulity and Diſobedience, have loſt.* As if metaphorical Deſcriptions did not bear ſad Truths in them, as well as literal; as if final Deſperation were no more than a little Fit of Grief and Diſcontent; and a guilty Conſcience were no more than a tranſitory Paſſion; as if it were a Loſs ſo eaſily to be borne, to be deprived for evermore of the beatifical Viſion: and laſtly, as if the Damned, beſides that unſpeakable Loſs, did not likewiſe ſuffer actual Torments, proportionable in ſome Meaſure to their own Sins and God's Juſtice.

T. H. That Metaphors bear ſad Truths in them I deny not. It is a ſad thing to loſe this preſent Life untimely. Is it not therefore much more a ſad thing to loſe an eternal happy Life? And I believe that he which will venture upon Sin, with ſuch Danger, will not ſtick to do the ſame notwithſtanding the Doctrine of eternal Torture. Is it not alſo a ſad Truth, that the Kingdom of Darkneſs ſhould be a Confederacy of Deceivers?

J. D. Laſtly, for the damned Spirits, he declareth himſelf every where, that their Sufferings are not eternal. *The Fire ſhall be unquenchable, and the Torments everlaſting; but it cannot be thence inferred, that he who ſhall be caſt into that Fire, or be tormented with thoſe Torments, ſhall endure and reſiſt them, ſo as to be eternally burnt and tortured, and yet never be deſtroyed and die. And though there be many Places that affirm everlaſting Fire, into which Men may be caſt ſucceſſively one after another for ever; yet I find none that affirm that there ſhall be an everlaſting Life therein of any individual Perſon.* If he had ſaid, and ſaid only, that the Pains of the Damned may be leſſened, as to the Degree of them, or that they endure not for ever, but that after they are purged by long Torments from their Droſs and Corruptions, as Gold in the Fire, both the damned Spirits and the Devils themſelves ſhould be reſtored to a better Condition, he might have found ſome Ancients (who are therefore called *the merciful Doctors)* to have joined with him, though ſtill he ſhould have wanted the Suffrage of the Catholic Church.

T. H. Why does not his Lordſhip cite ſome Place of Scripture here to prove, that all the Reprobates which are dead, live eternally in Torment? We read indeed, that everlaſting Torments were prepared for the Devil and his Angels, whoſe Natures alſo are everlaſting; and that the *Beaſt* and the *falſe Prophet* ſhall be tormented everlaſtingly; but not that every Reprobate ſhall be ſo. They ſhall indeed be caſt into the ſame Fire, but the Scripture ſays plainly enough, that they ſhall be both Body and Soul deſtroyed there. If I had ſaid that the Devils themſelves ſhould be reſtored to a better Condition; his Lordſhip would have been ſo kind as to have put me into the Number of the *merciful Doctors.* Truly if I had any Warrant for the Poſſibility of their being leſs Enemies to the Church of God than they have been, I would have been as merciful to them as any Doctor of them all. As it is, I am more merciful than the Biſhop.

J. D. But his ſhooting is not at Rovers, but altogether at Random, without either Preſident or Partner. All that *eternal Fire*, all thoſe Torments which he acknowledgeth, is but this, That *after the Reſurrection, the Reprobate ſhall be in the Eſtate that* Adam *and his Poſterity were in after the Sin committed, ſaving that God promiſed a Redeemer to* Adam *and not to them.* Adding, *that they ſhall live as they did* formerly, *Marry, and give in Marriage*; *and conſequently engender* Children *perpetually after the Reſurrection, as they did before,* which he calleth *an Immortality of the Kind, but not of the Perſons of Men.* It is to be preſumed, that in thoſe their ſecond Lives, knowing certainly from *T. H.* that there is no Hope of Redemption for them from corporal Death upon their Well-doing, nor Fear of any Torments after Death for Ill-doing, they will paſs their Times here as pleaſantly as they can. This is all the Damnation which *T. H.* fancieth.

T. H. This he has urged once before, and I anſwered to it, That the whole Paragraph was to prove, that for any Text of Scripture to the contrary, Men might, after the Reſurrection, live as *Adam* did on Earth, and that notwithſtanding the Text of St. *Luke* Chap. xx. 34, 35, 36. *Marry and propagate.* But that they ſhall do ſo, is no Aſſertion of mine. His Lordſhip knew I held that after the Reſurrection there ſhall be at all no wicked Men; but the Elect, (all that are, have been, and hereafter ſhall be) ſhall live on Earth. But St. *Peter* ſays, there ſhall then be a new Heaven and a new Earth.

J. D. In ſum, I leave it to the free Judgment of the underſtanding Reader, by theſe few Inſtances which follow, to judge what the *Hobbian* Principles are in point of Religion. *Ex ungue Leonem.*

Firſt, That no Man needs to put himſelf to any Hazard for his Faith, but may ſafely comply with the Times. *And for their Faith it is internal and inviſible. They have the Licence that* Naaman *had, and need not put themſelves into Danger for it.*

Secondly, he alloweth Subjects, being commanded by their Sovereign, to deny Chriſt. *Profeſſion with the Tongue is but an external Thing, and no more than any other Geſture, whereby we ſignify our Obedience. And wherein a Chriſtian, holding firmly in his Heart the Faith of Chriſt, hath the Liberty which the Prophet* Eliſha *allowed to* Naaman, &c. *Who by bowing before the Idol* Rimmon, *denied the true God as much in Effect, as if he had done it with his Lips.* Alas, why did St. *Peter* weep ſo bitterly for denying his Maſter, out of Fear of his Life or Members? It ſeems he was not acquainted with theſe *Hobbian* Principles. And in the ſame Place he layeth down this general Concluſion: *This we may ſay, that whatſoever a Subject is compelled to, in obedience to his Sovereign, and doth it not in order to his own Mind, but in order to the Laws of his Country, that Action is not his but his Sovereign's; nor is it he that in this Caſe denieth Chriſt before Men, but his Governor and the Law of his Country.* His Inſtance in a *Mahometan* commanded by a Chriſtian Prince to be preſent at divine Service, is a weak Miſtake, ſpringing from his groſs Ignorance in Caſe-divinity, not knowing to diſtinguiſh between an erroneous Conſcience, as the *Mahometans* is, and a Conſcience rightly informed.

T. H. In theſe his two firſt Inſtances I confeſs his Lordſhip does not much belye me. But neither does he confute me. Alſo I confeſs my Ignorance in his Caſe-divinity, which is grounded upon the Doctrine of Schoolmen; who to decide Caſes of Conſcience, take in, not only the Scriptures, but alſo the Decrees of the Popes of *Rome*, for the advancing of the Dominion of the *Roman* Church over Conſciences; whereas the true Deciſion of Caſes of Conſciences ought to be grounded only on Scripture, or natural Equity. I never allowed the denying of Chriſt with the Tongue in all Men, but expreſly ſay the contrary, in theſe Words, For an unlearned Man that is in the Power of an Idolatrous King or State, if commanded on Pain of Death to worſhip before an Idol, he deteſteth the Idol in his Heart, he doth well; though if he had the Fortitude to ſuffer Death rather than worſhip it, he ſhould do better. But if a Paſtor who as Chriſt's Meſſenger has undertaken to preach Chriſt's Doctrine to all Nations, ſhould do the ſame, it were not only a ſinful Scandal in reſpect of other Chriſtian Men's Conſciences, but a perfidious forſaking of his Charge. Therefore St. *Peter* in denying Chriſt ſinned, as being an Apoſtle. And 'tis Sin in every Man that ſhould now take upon him to preach againſt the Power of the Pope, to leave his Commiſſion unexecuted for fear of the Fire; but in a meer Traveller, not ſo. The three Children and *Daniel* were worthy Champions of the true Religion. But God requireth not of every Man to be a Champion. As for his Lordſhip's Words of *complying with the Times*, they are not mine, but his own ſpightful Paraphraſe.

J. D. Thirdly, if this be not enough, he giveth Licence to a Chriſtian to commit Idolatry, or at leaſt to do an idolatrous Act, for Fear of Death or corporal Danger. *To pray unto a King voluntarily for fair Weather, or for any Thing which God only can do for us, is divine Worſhip, and Idolatry. On the other Side, if a King compel a Man to it by the Terror of Death, or other corporal Puniſhment, it is not Idolatry.* His Reaſon is, becauſe *it is not a Sign, that he doth inwardly honour him as a God, but that he is deſirous to ſave himſelf from Death, or from a miſerable Life.* It ſeemeth *T. H.* thinketh there is no divine Worſhip, but internal; and that it is lawful for a Man to value his own Life or his Limbs more than his God. How much is he wiſer than the three Children, or *Daniel* himſelf? who were thrown, the firſt into a fiery Furnace, the laſt into the Lions Den, becauſe they refuſed to comply with the idolatrous Decree of their Sovereign Prince.

T. H. Here alſo my Words are truly cited. But his Lordſhip underſtood not what the Word *Worſhip* ſignifies; and yet he knew what I meant by it. To think highly of God (as I had defined it) is to honour him. But *to think* is internal. To worſhip, is to ſignify that Honour which we inwardly give by Signs *external.* This underſtood, (as by his Lordſhip it was) all he ſays to it is but a Cavil.

J. D. A fourth Aphoriſm may be this, *That which is ſaid in the Scripture, it is better to obey God than Man, hath Place in the Kingdom of God by Pact, and not by Nature.* Why? Nature itſelf doth teach us it is better to obey God than Men. Neither can he ſay that he intended this only of Obedience, in the Uſe of indifferent Actions and Geſtures in the Service of God commanded by the Commonwealth, for that is to obey both God and Man. But if divine Law and human Law claſh one with another, without Doubt it is evermore better to obey God than Man.

T. H. Here again appears his Unſkilfulneſs in reaſoning. Who denies, but it is always, and in all Caſes, better to obey God than Man? But there is no Law, neither divine nor human, that ought to be taken for a Law, till we know what it is, and if a divine Law, till we know that God hath commanded it to be kept. We agree that the Scriptures are the Word of God. But they are a Law by Pact; that is, to us who have been baptized into the Covenant. To all others it is an Invitation only to their own Benefit. 'Tis true, that even Nature ſuggeſteth to us that the Law of God is to be obeyed rather than the Law of Man. But Nature does not ſuggeſt to us that the Scripture is the Law of God, much leſs how every Text of it ought to be interpreted. But who then ſhall ſuggeſt this? Dr. *Bramhall?* I deny it. Who then? The Stream of Divines? Why ſo? Am I that have the Scripture itſelf before my Eyes, obliged to venture my eternal Life upon their Interpretation, how learned ſoever they pretend to be, when no Counter-ſecurity that they can give me, will ſave me harmleſs? If not the Stream of Divines, who then? The lawful Aſſembly of Paſtors or of Biſhops? But there can be no lawful Aſſembly in *England* without the Authority of the King. The Scripture therefore, what it is, and how interpreted, is made known unto us here, by no other Way than the Authority of our Sovereign Lord both in Temporals and Spirituals, the King's Majeſty. And where he has ſet forth no Interpretation, there I am allowed to follow my own, as well as any other Man, Biſhop or not Biſhop. For my own part, all that know me, know alſo it is my Opinion, that the beſt Government in Religion is by Epiſcopacy, but in the King's Right, not in their own. But my Lord of *Derry* not contented with this, would have the utmoſt Reſolution of our Faith to be into the Doctrine of the Schools. I do not think that all the Biſhops be of his Mind. If they were, I would wiſh them to ſtand in Fear of that dreadful Sentence, *All covet* *all loſe.* I muſt not let paſs theſe Words of his Lordſhip, *If divine Law and human Law claſh one with another, without Doubt it is better evermore to obey God than Man.* Where the King is a Chriſtian, believes the Scripture, and hath the Legiſlative Power both in Church and State, and maketh no Laws concerning Chriſtian Faith, or divine Worſhip, but by the Counſel of his Biſhops whom he truſteth in that Behalf, if the Biſhops counſel him aright, what claſhing can there be between the divine and human Laws? For if the Civil Law be againſt God's Law, and the Biſhops make it clearly appear to the King that it claſheth with divine Law, no Doubt he will mend it by himſelf, or by the Advice of his Parliament; for elſe he is no Profeſſor of *Chriſt*'s Doctrine, and ſo the claſhing is at an End. But if they think that every Opinion they hold, though obſcure and unneceſſary to Salvation, ought preſently to be Law, then there will be Claſhings innumerable, not only of Laws, but alſo of Swords, as we have found it too true by late Experience. But his Lordſhip is ſtill at this, that there ought to be for the divine Laws, that is to ſay, for the Interpretation of Scripture, a legiſlative Power in the Church, diſtinct from that of the King, which under him they enjoy already. This I deny. Then for claſhing between the Civil Laws of Infidels with the Law of God, the Apoſtles teach that thoſe their Civil Laws are to be obeyed, but ſo as to keep their Faith in *Chriſt* intirely in their Hearts; which is an Obedience eaſily performed. But I do not believe that *Auguſtus Cæſar* or *Nero* was bound to make the holy Scripture Law; and yet unleſs they did ſo, they could not attain to eternal Life.

J. D. His fifth Concluſion may be, that the ſharpeſt and moſt ſucceſsful Sword, in any War whatſoever, doth give Sovereign Power and Authority to him that hath it, to approve or reject all ſorts of theological Doctrines, concerning the Kingdom of God, not according to their Truth or Falſhood, but according to that Influence which they have upon political Affairs. Hear him, *But becauſe this Doctrine will appear to moſt Men a Novelty, I do but propound it, maintaining nothing in this or any other Paradox of Religion, but attending the End of that Diſpute of the Sword, concerning the Authority (not yet amongſt my Countrymen decided) by which all ſorts of Doctrine are to be approved or rejected,* &c. *For, the Points of Doctrine concerning the Kingdom of God, have ſo great Influence upon the Kingdom of Man, as not to be determined, but by them that under God have the Sovereign Power.*

——Careat ſucceſſibus opto,
Quiſquis ab eventu facta notanda putat.

Let him evermore want Succeſs, who thinketh Actions are to be judged by their Events. This Doctrine may be plauſible to thoſe who deſire to fiſh in troubled Waters; but it is juſtly hated by thoſe which are in Authority, and all thoſe who are Lovers of Peace and Tranquility.

The laſt part of this Concluſion ſmelleth rankly of *Jeroboam: Now ſhall the Kingdom return to the Houſe of David, if this People go up to do Sacrifice in the Houſe of the Lord at Jeruſalem; whereupon the King took Counſel, and made two Calves of Gold, and ſaid unto them, It is too much for you to go up to Jeruſalem, behold thy Gods, O Iſrael, which brought thee out of the Land of Egypt.* But by the juſt Diſpoſition of Almighty God, this Policy turned to a Sin, and was the utter Deſtruction of *Jeroboam* and his Family. It is not good jeſting with Edge-Tools, nor playing with holy Things: Where Men make their greateſt Faſtneſs, many times they find moſt Danger.

T. H. His Lordſhip either had a ſtrange Conſcience, or underſtood not *Engliſh.* Being at *Paris* when there was no Biſhop nor Church in *England*, and every Man writ what he pleaſed, I reſolved (when it ſhould pleaſe God to reſtore the Authority Eccleſiaſtical) to ſubmit to that Authority, in whatſoever it ſhould determine. This his Lordſhip conſtrues for a temporizing and too much Indifferency in Religion; and ſays further, that the laſt part of my Words do ſmell of *Jeroboam.*

To the contrary, I ſay my Words were modeſt, and ſuch as in Duty I ought to uſe. And I profeſs ſtill, that whatſoever the Church of *England* (the Church, I ſay, not every Doctor) ſhall forbid me to ſay in matter of Faith, I ſhall abſtain from ſaying it, excepting this Point, that *Jeſus Chriſt the Son of God died for my Sins.* As for other Doctrines, I think it unlawful, if the Church define them, for any Member of the Church to contradict them.

J. D. His ſixth Paradox is a Rapper: *The Civil Laws are the Rules of Good and Evil, Juſt and Unjuſt, Honeſt and Diſhoneſt; and therefore what the Lawgiver commands, that is to be accounted good; what he forbids, bad.* And a little after: *Before Empires were, Juſt and Unjuſt were not; as whoſe Nature is relative to a Command, every Action in its own Nature is indifferent. That it is juſt, or unjuſt, proceedeth from the Right of him that commandeth. Therefore lawful Kings make thoſe Things which they command, juſt, by commanding them; and thoſe Things which they forbid, unjuſt, by forbidding them.* To this add his Definition of a Sin: *That which one doth, or omitteth, ſaith, or willeth, contrary to the Reaſon of the Commonwealth, that is, the* [*Civil*] *Laws.* Where by the Laws he doth not underſtand the written Laws, elected and approved by the whole Commonwealth, but the verbal Commands or Mandates of him that hath the Sovereign Power, as we find in many places of his Writings. *The Civil Laws are nothing elſe but the Commands of him, that is endowed with Sovereign Power in Commonwealth, concerning the future Actions of his Subjects. And the Civil Laws are faſtened to the Lips of that Man who hath the Sovereign Power.*

Where are we? in *Europe* or in *Aſia?* where they aſcribed a Divinity to their Kings; and, to uſe his own Phraſe, made them *mortal Gods. O King, live for ever!* Flatterers are the common Moths of great Palaces, where *Alexander*'s Friends are more numerous than the King's Friends. But ſuch groſs, palpable, pernicious Flattery as this is, I did never meet with, ſo derogatory both to Piety and Policy. What deſerved he who ſhould do his uttermoſt Endeavour to poiſon a common Fountain, whereof all the Commonwealth muſt drink? He doth the ſame who poiſoneth the Mind of a Sovereign Prince.

Are *the Civil Laws the Rules of Good and Bad, Juſt and Unjuſt, Honeſt and Diſhoneſt?* And what, I pray you, are the Rules of the Civil Law itſelf? Even the Law of God and Nature. If the Civil Laws ſwerve from theſe more authentic Laws, they are *Leſbian* Rules. *What the Lawgiver commands is to be accounted good; what he forbids, bad.* This was juſt the Garb of the *Athenian* Sophiſters, as they are deſcribed by *Plato.* Whatſoever pleaſed the great Beaſt [the Multitude] they call holy, and juſt, and good. And whatſoever the great Beaſt diſliked, they called evil, unjuſt, prophane. But he is not yet arrived at the Height of his Flattery. *Lawful Kings make thoſe Things which they command juſt, by commanding them.* At other Times, when he is in his right Wits, he talketh of Sufferings, and *expecting their Reward in Heaven; and going to* Chriſt *by Martyrdom; and if he had the Fortitude to ſuffer Death he ſhould do better.* But I fear all this was but ſaid in Jeſt. How ſhould they expect their Reward in Heaven, if his Doctrine be true, that there is no Reward in Heaven? Or how ſhould they be Martyrs, if his Doctrine be true, that *none can be Martyrs but thoſe who converſed with* Chriſt *upon Earth?* He addeth, *Before Empires were, Juſt and Unjuſt were not.* Nothing could be written more falſe in his Senſe, more diſhonourable to God, more inglorious to the human Nature; than that God ſhould create Man, and leave him preſently without any Rules, to his own ordering of himſelf, as the Oſtrich leaveth her Eggs in the Sand. But in Truth there have been Empires in the World ever ſince *Adam*; and *Adam* had a Law written in his Heart by the Finger of God, before there was any Civil Law. Thus they do endeavour to make Goodneſs, and Juſtice, and Honeſty, and Conſcience, and God himſelf, to be empty Names, without any Reality, which ſignify nothing farther, than they conduce to a Man's Intereſt. Otherwiſe he would not, he could not ſay, that *every Action, as it is inveſted with its Circumſtances, is indifferent in its own Nature.*

T. H. My ſixth Paradox he calls a Rapper. A Rapper, a Swapper, and ſuch like Terms, are his Lordſhip's Elegancies. But let us ſee what this Rapper is: 'Tis this; The Civil Laws are the Rules of Good and Evil, Juſt and Unjuſt, Honeſt and Diſhoneſt. Truly I ſee no other Rules they have: The Scriptures themſelves were made Law to us here, by the Authority of the Commonwealth, and are therefore part of the Law Civil. If they were Laws in their own Nature, then were they Laws over all the World, and Men were obliged to obey them in *America*, as ſoon as they ſhould be ſhewn there, though without a Miracle, by a Friar. What is Unjuſt but the Tranſgreſſion of a Law? *Law* therefore was before Unjuſt: And the Law was made known by Sovereign Power before it was a Law: Therefore *Sovereign Power* was antecedent both to *Law* and *Injuſtice*. Who then made Unjuſt but Sovereign Kings or Sovereign Aſſemblies? Where is now the Wonder of this Rapper, *That lawful Kings make thoſe Things which they command juſt, by commanding them; and thoſe Things which they forbid, unjuſt, by forbidding them?* Juſt and Unjuſt were ſurely made; if the King made them not, who made them elſe? For certainly the Breach of the Civil Law is a Sin againſt God. Another Calumny which he would fix upon me, is, That I make the King's verbal Commands to be Laws. How ſo? Becauſe I ſay, *the Civil Laws are nothing elſe but the Commands of him that hath the Sovereign Power, concerning the future Actions of his Subjects.* What verbal Command of a King can arrive at the Ears of all his Subjects (which it muſt do ere it be a Law) without the Seal of the Perſon of the Commonwealth, which is here the Great Seal of *England?* Who but his Lordſhip ever denied that the Command of *England* was a Law to *Engliſhmen?* Or that any but the King had Authority to affix the Great Seal of *England* to any Writing? And who did ever doubt to call our Laws, though made in Parliament, the King's Laws? What was ever called a Law which the King did not aſſent to? Becauſe the King has granted in divers Caſes not to make a Law without the Advice and Aſſent of the Lords and Commons, therefore when there is no Parliament in Being, ſhall the Great Seal of *England* ſtand for nothing? What was more unjuſtly maintained during the long Parliament (beſides the reſiſting and murdering of the King) than this Doctrine of his Lordſhip's? But the Biſhop endeavoured here to make the Multitude believe I maintain, That the King ſinneth not, though he bid hang a Man for making his Apparel otherwiſe than he appointed, or his Servant for negligent Attendance. And yet he knew I diſtinguiſhed always between the King's natural and politic Capacity. What Name ſhould I give to this wilful Slander? But here his Lordſhip enters into Paſſion, and exclaims, *Where are we? in* Europe *or in* Aſia? *Groſs, palpable, pernicious Flattery, poyſoning of a Commonwealth, poyſoning the King's Mind.* But where was his Lordſhip when he wrote this? One would not think he was in *France*; nor that this Doctrine was written in the Year 1658, but rather in the Year 1648, in ſome Cabal of the King's Enemies. But what did put him into this Fit of Choler? Partly this very Thing, that he could not anſwer my Reaſons; but chiefly, that he had loſt upon me ſo much School Learning in our Controverſy touching *Liberty and Neceſſity*, wherein he was to blame himſelf, for believing that the obſcure and barbarous Language of School Divinity could ſatisfy an ingenuous Reader, as well as plain and perſpicuous *Engliſh*. Do I flatter the King? why am I not rich? I confeſs his Lordſhip has not flattered him here.

J. D. Something there is which he hath a confuſed glimmering of, as the blind Man ſees *Men walking like Trees*, which he is not able to apprehend and expreſs clearly. We acknowledge, that though the Laws or Commands of a Sovereign Prince be erroneous, or unjuſt, or injurious, ſuch as a Subject cannot approve for good in themſelves; yet he is bound to acquieſce, and may not oppoſe or reſiſt, otherwiſe than by Prayers and Tears, and at the moſt by Flight. We acknowledge

knowledge that the Civil Laws have Power to bind the Conſcience of a Chriſtian, in themſelves, but not from themſelves, but from him who hath ſaid, *Let every Soul be ſubject to the higher Powers.* Either they bind Chriſtian Subjects to do their Sovereign's Commands, or to ſuffer for the Teſtimony of a good Conſcience. We acknowledge, that in doubtful Caſes *ſemper præſumitur pro Rege & Lege*, the Sovereign and the Law are always preſumed to be in the right. But in plain evident Caſes which admit no Doubt, it is always better to obey God than Man. Blunderers, whilſt they think to mend one imaginary Hole, make two or three real ones. They who derive the Authority of the Scriptures, or God's Law, from the Civil Laws of Men, are like thoſe who ſeek to underprop the Heavens from falling, with a Bulruſh. Nay, they derive not only the Authority of the Scripture, but even the Law of Nature itſelf from the Civil Law. *The Laws of Nature* (which need no Promulgation) *in the Condition of Nature, are not properly Laws, but Qualities which diſpoſe Men to Peace and Obedience. When a Commonwealth is once ſettled, then are they actually Laws, and not before.* God help us, into what Times are we fallen, when the immutable Laws of God and Nature are made to depend upon the mutable Laws of mortal Men, juſt as one ſhould go about to controul the Sun by the Authority of the Clock.

T. H. Hitherto he never offered to mend any of the Doctrines he inveighs againſt; but here he does. He ſays I have a glimmering of ſomething I was not able to apprehend and expreſs clearly. Let us ſee his Lordſhip's more clear Expreſſion. *We acknowledge* (ſaith he) *that though the Laws or Commands of a Sovereign Prince be erroneous, or unjuſt, or injurious, ſuch as a Subject cannot approve for good in themſelves, yet he is bound to acquieſce, and may not oppoſe or reſiſt otherwiſe than by Prayers and Tears, and at the moſt by Flight.* Hence it follows clearly, that when a Sovereign has made a Law, though erroneous, then if his Subject oppoſe it, it is a Sin. Therefore I would fain know, when a Man has broken that Law by doing what is forbid, or by refuſing to do what it commanded, whether he have oppoſed this Law or not. If to break the Law be to oppoſe it, he granteth it. Therefore his Lordſhip hath not here expreſſed himſelf ſo clearly, as to make Men underſtand the Difference between breaking a Law and oppoſing it. Though there be ſome Difference between breaking of a Law, and oppoſing thoſe that are ſent with Force to ſee it executed; yet between breaking and oppoſing the Law itſelf there is no Difference. Alſo though the Subject think the Law juſt, as when a Thief is by Law condemned to die, yet he may lawfully oppoſe the Execution, not only by Prayers, Tears, and Flight, but alſo (as I think) any way he can. For though his Fault were never ſo great, yet his Endeavour to ſave his own Life is not a Fault. For the Law expects it, and for that Cauſe appointeth Felons to be bound, and encompaſſed with armed Men to Execution. Nothing is oppoſite to Law but Sin: Nothing oppoſite to the Sheriff but Force. So that his Lordſhip's Sight was not ſharp enough to ſee the Difference between the Law and the Officer. Again, *We acknowledge* (ſays he) *that the Laws have Power to bind the Conſcience of a Chriſtian in themſelves, but not from themſelves.* Neither do the Scriptures bind the Conſcience becauſe they are Scriptures, but becauſe they were from God. So alſo the Book of *Engliſh* Statutes bindeth our Conſciences in itſelf, but from the Authority of the King, who only in the Right of God has the legiſlative Powers. Again he ſaith, *We acknowledge, that in doubtful Caſes, the Sovereign and the Law are always preſumed to be in the right.* If he preſume they are in the right, how dare he preſume that the Caſes they determine are doubtful? But ſaith he, *in evident Caſes which admit no Doubt, it is always better to obey God than Man.* Yes, and in doubtful Caſes alſo ſay I. But what are thoſe Caſes that admit no Doubt? I know but very few, and thoſe are ſuch as his Lordſhip was not much acquainted with.

J. D. But it is not worthy of my Labour, nor any part of my Intention, to purſue every Shadow of a Queſtion which he ſpringeth. It ſhall ſuffice to gather a Poſy of Flowers (or rather a Bundle of Weeds) out of his Writings, and preſent them to the Reader, who will eaſily diſtinguiſh them from healthful Plants by the Rankneſs of their Smell. Such are theſe which follow.

T. H. As for the following Poſy of Flowers, there wants no more to make them ſweet, than to wipe off the Venom blown upon ſome of them by his Lordſhip's Breath.

J. D. 1. *To be delighted in the Imagination only of being poſſeſſed of another Man's Goods, Servants, or Wife, without any Intention to take them from him by Force or Fraud, is no Breach of the Law, which ſaith, Thou ſhalt not covet.*

T. H. What Man was there ever whoſe Imagination of any thing he thought would pleaſe him, was not ſome Delight? Or what Sin is there, where there is not ſo much as an Intention to do Injuſtice? But his Lordſhip would not diſtinguiſh between Delight and Purpoſe, nor between a Wiſh and a Will. This was Venom. I believe, that his Lordſhip himſelf, even before he was married, took ſome Delight in the Thought of it, and yet the Woman then was not his own. All Love is Delight, but all Love is not Sin. Without this Love of that which is not yet a Man's own, the World had not been peopled.

J. D. 2. *If a Man by the Terror of preſent Death be compelled to do a Fact againſt the Law, he is totally excuſed, becauſe no Law can oblige a Man to abandon his own Preſervation, Nature compelleth him to the Fact.* The like Doctrine he hath elſewhere. *When the Actor doth any thing againſt the Law of Nature by the Command of the Author, if he be obliged by former Covenants to obey him, not he, but the Author, breaketh the Law of Nature.*

T. H. The ſecond Flower is both ſweet and wholſome.

J. D. 3. *It is a Doctrine repugnant to Civil Society, that whatſoever a Man does againſt his Conſcience is Sin.*

T. H. 'Tis plain, that to do what a Man thinks in his own Conſcience to be Sin, is Sin; for it is a Contempt of the Law itſelf; and from thence ignorant Men, out of an erroneous Conſcience, diſobey the Law, which is pernicious to all Government.

J. D. 4. *The Kingdom of God is not ſhut but to them that ſin, that is, to them who have not performed due Obedience to the Laws of God; nor to them, if they believe the neceſſary Articles of the Chriſtian Faith.*

5. *We muſt know that the true acknowledging of Sin is Repentance itſelf.*

6. *An Opinion publicly appointed to be taught, cannot be Hereſy, nor the Sovereign Princes that authoriſed the ſame, Heretics.*

T. H. The fourth, fifth, and ſixth ſmell well. But to ſay, that the Sovereign Prince in *England* is a Heretic, or that an Act of Parliament is heretical, ſtinks abominably, as it was thought *Primo Elizabethæ.*

J. D. 7. *Temporal and Spiritual Government are but two Words to make Men ſee double, and miſtake their lawful Sovereign,* &c. *There is no other Government in this Life, neither of State, nor Religion, but Temporal.*

8. *It is manifeſt, that they who permit a contrary Doctrine to that which themſelves believe and think neceſſary* [to Salvation] *do againſt their Conſciences, and Will, as much as in them lieth, the eternal Deſtruction of their Subjects.*

T. H. The ſeventh and eighth are Roſes and Jeſſamin. But his leaving out the Words [*to Salvation*] was Venom.

J. D. 9. *Subjects ſin if they do not worſhip God according to the Laws of the Commonwealth.*

T. H. The ninth he hath poiſoned, and made it, not mine; he quotes my Book *de Cive*, Cap. 15. 19. where I ſay, *Regnante Deo per ſolam rationem naturalem*, that is, *Before the Scripture was given*, they ſinned that refuſed to worſhip God, according to the Rites and Ceremonies of the Country, which hath no ill Scent, but to undutiful Subjects.

J. D. 10. *To believe in Jeſus* [in Jeſum] *is the ſame as to believe that Jeſus is Chriſt.*

T. H. And ſo it is always in the Scripture.

J. D. 11. *There can be no Contradiction between the Laws of God, and the Laws of a Chriſtian Commonwealth.* Yet, we ſee Chriſtian Commonwealths daily contradict one another.

T. H. The 11th is alſo good. But his Lordſhip's Inſtance, *That Chriſtian Commonwealths contradict one another*, has nothing to do here. Their Laws do indeed contradict one another, but contradict not the Law of God. For God commands their Subjects to obey them in all Things, and his Lordſhip himſelf confeſſeth that their Laws, though erroneous, bind the Conſcience. But Chriſtian Commonwealths would ſeldom contradict one another, if they made no Doctrine Law, but ſuch as were neceſſary to Salvation.

J. D. 12. *No Man giveth but with Intention of ſome Good to himſelf. Of all voluntary Acts, the Object is to every Man his own Good. Moſes*, St. *Paul*, and the *Decii* were not of his Mind.

T. H. That which his Lordſhip adds to the 12th, namely, that *Moſes*, St. *Paul*, and the *Decii* were not of my Mind, is falſe. For the two former did what they did for a Good to themſelves, which was eternal Life; and the *Decii* for a good Fame after Death. And his Lordſhip alſo, if he had believed there is an eternal Happineſs to come, or thought a good Fame after Death to be any thing worth, he would have directed all his actions towards them, and have deſpiſed the Wealth and Titles of the preſent World.

J. D. 13. *There is no natural Knowledge of Man's Eſtate after Death, much leſs of Reward which is then to be given to Breach of Faith, but only a Belief grounded upon other Men's ſaying, that they know it ſupernaturally, or that they know thoſe that knew them that knew others that knew it ſupernaturally.*

T. H. The 13th is good and freſh.

J. D. 14. David's *killing of* Uriah *was no Injury to* Uriah, *becauſe the Right to do what he pleaſed was given him by* Uriah *himſelf.*

T. H. David himſelf makes this good, in ſaying, *To thee only have I ſinned.*

J. D. 15. *To whom it belongeth to determine Controverſies which may ariſe from the divers Interpretations of Scripture, he hath an Imperial Power over all Men which acknowledge the Scripture to be the Word of God.*

16. *What is Theft, what is Murder, what is Adultery, and univerſally what is an Injury, is known by the Civil Law, that is, by the Commands of the Sovereign.*

T. H. For the 15th, he ſhould have diſputed it with the Head of the Church. And as to the 16th, I would have aſked him by what other Law his Lordſhip would have it determined what is Theft, or what is Injury, than by the Laws made in Parliament, or by the Laws which diſtinguiſh between *Meum* and *Tuum*? His Lordſhip's Ignorance ſmells rankly, ('tis his own Phraſe) in this and many other Places, (which I have let paſs) of his own Intereſt. The King tells us what is Sin, in that he tells us what is Law. He hath authoriſed the Clergy to dehort the People from Sin, and to exhort them by good Motives, (both from Scripture and Reaſon) to obey the Laws; and ſuppoſeth them (though under forty Years old) by the Help they have in the Univerſity, able, in caſe the Law be not written, to teach the People, old and young, what they ought to follow in doubtful Caſes of Conſcience, that is to ſay, they are authoriſed to expound the Laws of Nature; but not ſo as to make it a doubtful Caſe whether the King's Laws be to be obeyed or not. All they ought to do is from the King's Authority. And therefore this my Doctrine is no Weed.

J. D. 17. He admitteth inceſtuous *Copulations* of the Heathens, *according to their Heatheniſh Laws, to have been lawful Marriages.* Though the Scripture teach us expreſly, that for thoſe Abominations the Land of *Canaan* ſpued out her Inhabitants, *Levit.* xviii. 28.

T. H. The 17th, he hath corrupted with a falſe Interpretation of the Text. For in that Chapter from the Beginning to ver. 20, are forbidden Marriages in certain Degrees of Kindred. For ver. 20, which begins with *Moreover*, to the 28th, are forbidden ſacrificing of Children to *Moloch*, and prophaning of God's Name, and Buggery with Man and Beaſt, with this Cauſe expreſs'd, *(For all theſe Abominations have the Men of the Land done which were before you, and the Land is defiled) That the Land ſpue not you out alſo.* As for Marriages within the Degrees prohibited, they are not referred to the Abominations of the Heathen. Beſides, for ſome Time after *Adam*, ſuch Marriages were neceſſary.

J. D. 18. *I ſay that no other Article of Faith beſides this, that Jeſus is Chriſt, is neceſſary to a Chriſtian Man for Salvation.*

19. *Becauſe Chriſt's Kingdom is not of this World, therefore neither can his Miniſters, unleſs they be Kings, require Obedience in his Name. They have no Right of commanding, no Power to make Laws.*

T. H. Theſe two ſmell comfortably, and of Scripture. The contrary Doctrine ſmells of Ambition and Encroachment of Juriſdiction, or Rump of the *Roman* Tyranny.

J. D. 20. I paſs by his Errors about Oaths, about Vows, about the Reſurrection, about the Kingdom of Chriſt, about the Power of the Keys, Binding, Looſing, Excommunication, *&c.* his ignorant Miſtakes of *meritum congrui* and *condigni*, active and paſſive Obedience, and many more, for fear of being tedious to the Reader.

T. H. The Terms of School Divinity, of which Number are *meritum congrui meritum condigni*, and *paſſive Obedience*, are ſo obſcure as no Man living can tell what they mean, ſo that they that uſe them may admit or deny their Meaning, as it ſhall ſerve their Turns. I ſaid not that this was their Meaning, but that I thought it was ſo. For no Man living can tell what a Schoolman means by his Words. Therefore I expounded them according to their true Signification. Merit *ex condigno* is when a Thing is deſerved by Pact; as when I ſay the Labourer is worthy of his Hire, I mean *meritum ex condigno.* When a Man of his own Grace throweth Money among the People, with an Intention that what Part ſoever of it any of them could catch, he that catcheth merits it, not by Pact, nor by precedent Merit, as a Labourer, but becauſe it was congruent to the Purpoſe of him that caſt it amongſt them. In all other Meaning theſe Words are but Jargon, which his Lordſhip had learnt by Rote. Alſo *paſſive Obedience* ſignifies nothing, except it may be called *paſſive Obedience*, when a Man refraineth himſelf from doing what the Law hath forbidden. For in his Lordſhip's Senſe the Thief that is hanged for ſtealing hath fulfilled the Law; which I think is abſurd.

J. D. His whole Works are a Heap of miſhapen Errors, and abſurd Paradoxes, vented with the Confidence of a Jugler, the Brags of a Mountebank, and the Authority of ſome *Pythagoras*, or third *Cato*, lately dropped down from Heaven.

Thus we have ſeen how the *Hobbian* Principles do deſtroy the Exiſtence, the Simplicity, the Ubiquity, the Eternity and Infiniteneſs of God, the Doctrine of the bleſſed Trinity, the Hypoſtatical Union, the Kingly, Sacerdotal, and Prophetical Office of Chriſt, the Being and Operation of the Holy Ghoſt, Heaven, Hell, Angels, Devils, the Immortality of the Soul, the Catholic and all National Churches; the holy Scriptures, holy Orders, the holy Sacraments, the whole Frame of Religion, and the Worſhip of God; the Laws of Nature, the Reality of Goodneſs, Juſtice, Piety, Honeſty, Conſcience, and all that is ſacred. If his Diſciples have ſuch an implicit Faith, that they can digeſt all theſe Things, they may feed with *Oſtriches.*

T. H. He here concludes his firſt Chapter with bitter Reproaches, to leave in his Reader (as he thought) a Sting, ſuppoſing perhaps that he will read nothing but the Beginning and End of his Book, as is the Cuſtom of many Men. But to make him loſe that petty Piece of Cunning, I muſt deſire of the Reader one of theſe two Things. Either that he would read with it the Places of my *Leviathan* which he cites, and ſee not only how he anſwers my Arguments, but alſo what the Arguments are which he produceth againſt them; or elſe that he would forbear to condemn me, ſo much as in his Thought; for otherwiſe he is unjuſt. The Name of Biſhop is of great Authority, but theſe Words are not the Words of a Biſhop, but of a paſſionate Schoolman, too fierce and unſeemly in any Man whatſoever. Beſides, they are untrue. Who that knows me will ſay I have the Confidence of a

Jugler, or that I uſe to brag of any thing, much leſs that I play the Mountebank? What my Works are, he was no fit Judge. But now he has provoked me, I will ſay thus much of them, that neither he, if he had lived, could, nor I if I would, can extinguiſh the Light which is ſet up in the World by the greateſt Part of them; and for theſe Doctrines which he impugneth, I have few Oppoſers, but ſuch whoſe Profit or whoſe Fame in Learning is concerned in them. He accuſes me firſt of deſtroying the Exiſtence of God, that is to ſay, he would make the World believe I were an Atheiſt. But upon what Ground? Becauſe I ſay, that God is a Spirit, but *Corporeal.* But to ſay that, is allowed me by St. *Paul*, that ſays *There is a ſpiritual Body, and there is an animal Body*, 1 *Cor.* xv. He that holds that there is a God, and that God is really ſomewhat (for *Body* is doubtleſly a *real Subſtance)* is as far from being an Atheiſt as is poſſible to be. But he that ſays God is an *incorporeal Subſtance*, no Man can be ſure whether he be an Atheiſt or not. For no Man living can tell whether there be any *Subſtance* at all, that is not alſo *Corporeal.* For neither the Word *Incorporeal*, nor *Immaterial*, nor any Word equivalent to it, is to be found in Scripture or in Reaſon. But on the contrary, that *the Godhead dwelleth bodily in Chriſt*, is found in *Coloſ.* ii. 9. and *Tertullian* maintains, that God is either a *Corporeal Subſtance* or *Nothing:* Nor was he ever condemned for it by the Church. For why? not only *Tertullian*, but all the Learned, call *Body*, not only that which one can ſee, but alſo whatſoever has Magnitude, or that is ſomewhere; for they had greater Reverence for the divine Subſtance than that they durſt think it had no *Magnitude*, or was *nowhere*. But they that hold God to be a Phantaſm, as did the Exorciſts in the Church of *Rome*, that is, ſuch a Thing as were at that Time thought to be the Sprights that were ſaid to walk in Church-yards, and to be the Souls of Men buried, they do abſolutely make God to be nothing at all. But how? Were they Atheiſts? No. For though by Ignorance of the Conſequence they ſaid that which was equivalent to Atheiſm, yet in their Hearts they thought God a Subſtance, and would alſo, if they had known what *Subſtance* and what *Corporeal* meant, have ſaid he was a Corporeal Subſtance. So that this *Atheiſm by Conſequence* is a very eaſy Thing to be fallen into, even by the moſt godly Men of the Church. He alſo that ſays that God is *wholly here*, and *wholly there*, and *wholly every where*, deſtroys by Conſequence the Unity of God, and the Infiniteneſs of God, and the Simplicity of God. And this the Schoolmen do, and are therefore *Atheiſts by Conſequence*, and yet they do not all ſay in their Hearts that there is no God. So alſo his Lordſhip, by exempting the Will of Man from being ſubject to the Neceſſity of God's Will or Decree, denies by *Conſequence* the divine Preſcience, which alſo will amount to *Atheiſm by Conſequence*. But out of this, that God is a *Spirit Corporeal* and *infinitely pure*, there can no unworthy or diſhonourable Conſequence be drawn. Thus far to his Lordſhip's firſt Chapter in Juſtification of my *Leviathan*, as to Matter of Religion; and eſpecially to wipe off that unjuſt Slander caſt upon me by the Biſhop of *Derry*. As for the ſecond Chapter which concerns my Civil Doctrines, ſince my Errors there, if there be any, will not tend very much to my Diſgrace, I will not take the Pains to anſwer it.

Whereas his Lordſhip has talked in his Diſcourſe here and there ignorantly of Hereſy, and ſome others have not doubted to ſay publicly, that there be many Hereſies in my *Leviathan*; I will add hereunto for a general Anſwer, an hiſtorical Relation concerning the Word Hereſy, from the firſt Uſe of it amongſt the *Grecians*, till this preſent Time.

AN

HISTORICAL NARRATION CONCERNING HERESY, AND The PUNISHMENT thereof.

At veluti Pueri trepidant, atq; omnia cæcis
In tenebris metuunt: Sic nos in luce timemus
Interdum nihilo quæ ſunt metuenda magis, quàm
Quæ Pueri in tenebris pavitant, metuuntq; futura.
Lucr. *lib.* ii. 3, 6.

Hæreſews Larvas, Sectarum immania Monſtra
Hobbius *invicto diſpulit ingenio.*

THE Word *Hereſy* is *Greek*, and ſignifies a taking of any thing, and particularly the taking of an Opinion. After the Study of Philoſophy begun in *Greece*, and the Philoſophers, diſagreeing amongſt themſelves, had ſtarted many Queſtions, not only about Things natural, but alſo moral and civil; becauſe every Man took what Opinion he pleaſed, each ſeveral Opinion was called a *Hereſy*; which ſignified no more than a private Opinion, without reference to Truth or Falſhood. The Beginners of theſe Hereſies were chiefly *Pythagoras*, *Plato*, *Ariſtotle*, *Epicurus*, *Zeno*; Men, who as they held many Errors, ſo alſo found they out many true and uſeful Doctrines, in all kinds of Learning: and for that cauſe were well eſteemed of by the greateſt Perſonages of their own Times; and ſo alſo were ſome few of their Followers.

But the reſt, ignorant Men, and very often needy Knaves, having learned by Heart the Opinions of theſe admir'd Philoſophers, and pretending to take after them, made uſe thereof to get their Living by the teaching of rich Men's Children that happened to be in love with thoſe great Names. Tho' by their impertinent Diſcourſe, ſordid and ridiculous Manners, they were generally deſpiſed, of what Sect or Hereſy ſoever; whether they were *Pythagoreans*, or *Academics*, Followers of *Plato*; or *Peripatetics*, Followers of *Ariſtotle*; *Epicureans*, or *Stoics*, Followers of *Zeno*: For theſe were the Names of Hereſies, or, as the *Latins* call them, *Sects*, *à ſequendo*, ſo much talk'd of from after the Time of *Alexander* till this preſent Day, and that have perpetually troubled or deceived the People with whom they lived, and were never more numerous than in the Time of the primitive Church.

The Hereſy of *Ariſtotle*, by the Revolutions of Time, has had the good Fortune to be predominant over the reſt. However, originally the Name of *Hereſy* was no Diſgrace, nor the Word *Heretic* at all in Uſe. Tho' the ſeveral Sects, eſpecially the *Epicureans* and *Stoics*, hated one another; and the *Stoics* being the fiercer Men, uſed to revile thoſe that differed from them, with the moſt deſpiteful Words they could invent.

It cannot be doubted, but that, by the Preaching of the Apoſtles and Diſciples of *Chriſt* in *Greece*, and other Parts of the *Roman* Empire, full of theſe Philoſophers, many thouſands of Men were converted to the Chriſtian Faith, ſome really, and ſome feignedly, for factious Ends, or for Need; (for Chriſtians lived then in common, and were charitable:) and becauſe moſt of theſe Philoſophers had better Skill in Diſputing and Oratory than the common People, and thereby were better qualified both to defend and propagate the Goſpel: There is no doubt, I ſay, but moſt of the Paſtors of the primitive Church were for that Reaſon choſen out of the Number of theſe Philoſophers; who retaining ſtill many Doctrines which they had taken up on the Authority of their former Maſters, whom they had in Reverence, endeavoured many of them to draw the Scriptures every one to his own Hereſy. And thus at firſt entered Hereſy into the Church of *Chriſt*. Yet theſe Men were all of them Chriſtians; as they were when they were firſt baptized: Nor did they deny the Authority of thoſe Writings which were left them by the Apoſtles and Evangeliſts, tho' they interpreted them many times with a Bias to their former Philoſophy. And this Diſſention amongſt themſelves was a great Scandal to the Unbelievers, and which not only obſtructed the Way of the Goſpel, but alſo drew Scorn and greater Perſecution upon the Church.

For remedy whereof, the chief Paſtors of Churches did uſe, at the riſing of any new Opinion, to aſſemble themſelves for the examining and determining of the ſame; wherein, if the Author of the Opinion were convinced of his Error, and ſubſcribed to the Sentence of the Church aſſembled, then all was well again; but if he ſtill perſiſted in it, they laid him aſide, and conſidered him but as an Heathen Man; which to an unfeigned Chriſtian, was a great Ignominy, and of Force to make him conſider better of his own Doctrine; and ſometimes brought him to the Acknowledgment of the Truth. But other Puniſhment they could inflict none, that being a Right appropriated to Civil Power. So that all the Puniſhment the Church could inflict, was only Ignominy; and that among the Faithful, conſiſting in this, that his Company was by all the Godly avoided, and he himſelf branded with the Name of *Heretic*, in Oppoſition to the whole Church, that condemned his Doctrine. So that *Catholic* and *Heretic* were terms relative; and here it was that Heretic became to be a Name, and a Name of Diſgrace, both together.

The firſt and moſt troubleſome Hereſies in the primitive Church, were about the Trinity. For, according to the uſual Curioſity of natural Philoſophers, they could not abſtain from diſputing the very firſt Principles of Chriſtianity, into which they were baptized, *In the Name of the Father*, *the Son*, *and the Holy Ghoſt*. Some there were that made them allegorical: Others would make one Creator of Good, and another of Evil; which was, in Effect, to ſet up two Gods, one contrary to another; ſuppoſing that Cauſation of Evil could not be attributed to God, without Impiety. From which Doctrine they are not far diſtant, that now make the firſt Cauſe of ſinful Actions to be every Man as to his own Sin. Others there were that would have God to be a Body with Parts organical, as Face, Hands, Fore-Parts and Back-Parts. Others, that *Chriſt* had no real Body, but was a mere Phantaſm: (For Phantaſms were taken then, and have been ever ſince, by unlearned and ſuperſtitious Men, for Things real and ſubſiſtent.) Others denied the Divinity of *Chriſt*: Others, that *Chriſt* being God and Man, was two Perſons: Others confeſs'd he was one Perſon, and withal that he had but one Nature. And a great many other Hereſies aroſe from the too much Adherence to the Philoſophy of thoſe Times, whereof ſome were ſuppreſs'd for a Time by St. *John*'s pub-

liſhing

liſhing his Goſpel, and ſome by their own Unreaſonableneſs vaniſhed, and ſome laſted till the Time of *Conſtantine* the Great, and after.

When *Conſtantine* the Great (made ſo by the Aſſiſtance and Valour of the Chriſtian Soldiers) had attained to be the only *Roman* Emperor, he alſo himſelf became a Chriſtian, and cauſed the Temples of the Heathen Gods to be demoliſhed, and authoriſed Chriſtian Religion only to be public. But towards the latter End of his Time, there aroſe a Diſpute in the City of *Alexandria*, between *Alexander* the Biſhop, and *Arius* a Preſbyter of the ſame City; wherein *Arius* maintained, firſt, That *Chriſt* was inferior to his Father, and afterwards, That he was no God; alledging the Words of *Chriſt*, *My Father is greater than I.* The Biſhop, on the contrary, alledging the Words of St. *John*, *And the Word was God*; and the Words of St. *Thomas*, *My Lord and my God.* This Controverſy preſently amongſt the Inhabitants and Soldiers of *Alexandria* became a Quarrel, and was the Cauſe of much Bloodſhed in and about the City; and was likely then to ſpread farther, as afterwards it did. This ſo far concerned the Emperor's Civil Government, that he thought it neceſſary to call a general Council of all the Biſhops and other eminent Divines throughout the *Roman* Empire, to meet at the City of *Nice*. When they were aſſembled, they preſented the Emperor with Libels of Accuſation one againſt another. When he had received theſe Libels into his Hands, he made an Oration to the Fathers aſſembled, exhorting them to agree, and to fall in hand with the Settlement of the Articles of Faith, for which Cauſe he had aſſembled them, ſaying, Whatſoever they ſhould decree therein, he would cauſe to be obſerved. *This may perhaps ſeem a greater Indifferency than would in theſe Days be approved of.* But ſo it is in the Hiſtory; and the Articles of Faith neceſſary to Salvation, were not thought then to be ſo many as afterwards they were defined to be by the Church of *Rome*.

When *Conſtantine* had ended his Oration, he cauſed the aforeſaid Libels to be caſt into the Fire, as became a wiſe King and a charitable Chriſtian. This done, the Fathers fell in hand with their Buſineſs, and following the Method of a former Creed, commonly called *The Apoſtles Creed*, made a Confeſſion of Faith, *viz.* **I believe in one God, the Father Almighty, Maker of Heaven and Earth, and of all things viſible and inviſible,** (in which is condemned the Polytheiſm of the Gentiles.) **And in one Lord Jeſus Chriſt the only begotten Son of God,** (againſt the many Sons of the many Gods of the Heathen.) **Begotten of his Father before all Worlds, God of God,** (againſt the *Arians.*) **Very God of very God,** (againſt the *Valentinians*, and againſt the Hereſy of *Apelles*, and others, who made Chriſt a meer Phantaſm.) **Light of Light,** [This was put in for Explication, and uſed before to that Purpoſe, by *Tertullian.*] **Begotten, not made, being of one Subſtance with the Father.** In this again they condemn the Doctrine of *Arius:* for this Word *Of one Subſtance*, in *Latin Conſubſtantialis*, but in *Greek* Ὁμοούσιος, that is, *Of one Eſſence*, was put as a Touchſtone to diſcern an *Arian* from a *Catholic:* and much ado there was about it. *Conſtantine* himſelf, at the paſſing of this Creed, took notice of it for a hard Word; but yet approved of it, ſaying, That in a divine Myſtery it was fit to uſe *divina & arcana Verba*; that is, divine Words, and hidden from human Underſtanding; calling that Word Ὁμοούσιος, divine, not becauſe it was in the divine Scripture, (for it is not there) but becauſe it was to him *Arcanum*, that is, not ſufficiently underſtood. *And in this again appeared the Indifferency of the Emperor, and that he had for his End, in the calling of the Synod, not ſo much the Truth, as the Uniformity of the Doctrine, and Peace of his People that depended on it.* The Cauſe of the Obſcurity of this Word Ὁμοούσιος proceeded chiefly from the Difference between the *Greek* and *Roman* Dialect, in the Philoſophy of the *Peripatetics*. The firſt Principle of Religion in all Nations is, *That God is*, that is to ſay, that God is really Something, and not a mere Fancy; but that which is really ſomething, is conſiderable alone by itſelf, as being *ſomewhere*. In which Senſe a Man is a thing real: for I can conſider him *to be*, without conſidering any thing *to be* beſides him.

And for the ſame Reaſon, the Earth, the Air, the Stars, Heaven, and their Parts, are all of them Things real. And becauſe whatſoever is real here, or there, or in any Place, has Dimenſions, that is to ſay, Magnitude; and that which hath Magnitude, whether it be viſible or inviſible, finite or infinite, is called by all the Learned, *a Body:* It followeth, that all real Things, in that they are *ſomewhere*, are corporeal. On the contrary, Eſſence, Deity, Humanity, and ſuch like Names, ſignify nothing that can be conſidered, without firſt conſidering there is an *Ens*, a God, a Man, *&c.* So alſo, if there be any real Thing that is *white* or *black*, *hot* or *cold*, the ſame may be conſidered by itſelf; but Whiteneſs, Blackneſs, Heat, Coldneſs, cannot be conſidered, unleſs it be firſt ſuppoſed that there is ſome real Thing to which they are attributed. Theſe real Things are called bythe *Latin* Philoſophers, *Entia*, *ſubjecta*, *ſubſtantiæ*; and by the *Greek* Philoſophers, τὰ ὄντα ὑποκείμενα, ὑποςάμενα. The other, which are incorporeal, are called by the *Greek* Philoſophers, ȣ̓σία συμβεβηχότα, Φαντάσματα; but moſt of the *Latin* Philoſophers uſe to convert ȣ̓σία into *ſubſtantia*, and ſo confound real and corporeal Things with incorporeal; which is not well: for Eſſence and Subſtance ſignify divers things. And this Miſtake is received, and continues ſtill in theſe Parts, in all Diſputes both of Philoſophy and Divinity: for in Truth *Eſſentia* ſignifies no more, than if we ſhould talk ridiculouſly of the *Iſneſs* of the Thing that is. **[By whom all things were made.]** This is proved out of St. *John* i. 1, 2, 3. and *Heb.* i. 3. and that again out of *Gen.* i. where God is ſaid to create every thing by his ſole Word, as when he ſaid, *Let there be Light, and there was Light.* And then that Chriſt was that Word, and in the Beginning with God, may be gathered out of divers Places of *Moſes*, *David*, and other of the Prophets. Nor was it ever queſtioned amongſt Chriſtians (except by the *Arians)* but that Chriſt was God Eternal, and his Incarnation eternally decreed. But the Fathers, all that write Expoſitions on this Creed, could not forbear to philoſophiſe upon it, and moſt of them out of the Principles of *Ariſtotle:* which are the ſame the Schoolmen now uſe; as may partly appear by this, that many of them, amongſt their Treatiſes of Religion, have affected to publiſh Logic and Phyſic Principles according to the Senſe of *Ariſtotle*; as *Athanaſius*, and *Damaſcene.* And ſo ſome later Divines of *Note*, ſtill confound the Concrete with the Abſtract, *Deus* with *Deitas*, *Ens* with *Eſſentia*, *Sapiens* with *Sapientia*, *Æternus* with *Æternitas.* If it be for exact and rigid Truth-ſake, why do they not ſay alſo, that Holineſs is a holy Man, Covetouſneſs a covetous Man, Hypocriſy an Hypocrite, and Drunkenneſs a Drunkard, and the like, but that it is an Error? The Fathers agree that the Wiſdom of God is the eternal Son of God, by whom all things were made, and that he was incarnate by the Holy Ghoſt, if they meant it in the Abſtract: for if *Deitas* abſtracted be *Deus*, we make two Gods of one. This was well underſtood of *Damaſcene*, in his Treatiſe *De Fide Orthodoxâ* (which is an Expoſition of the *Nicene* Creed) where he denies abſolutely that *Deitas* is *Deus*, leſt (ſeeing God was made Man) it ſhould follow, the Deity was made Man; which is contrary to the Doctrine of the *Nicene* Fathers. The Attributes therefore of God in the Abſtract, when they are put for God, are put *Metonymically*; which is a common thing in Scripture; for Example, *Prov.* viii. 28. where it is ſaid, *Before the Mountains were ſettled, before the Hills was I brought forth*; the Wiſdom there ſpoken of being the Wiſdom of God, ſignifies the ſame with the wiſe God. This kind of Speaking is alſo ordinary in all Languages. This conſidered, ſuch abſtracted Words ought not to be uſed in arguing, and eſpecially in the deducing the Articles of our Faith; though in the Language of God's eternal Worſhip, and in all godly Diſcourſes, they cannot be avoided: And the Creed itſelf is leſs difficult to be aſſented to in its own Words, than in all ſuch Expoſitions of the Fathers. **Who for us Men and our Salvation came down from Heaven, and was incarnate by the Holy Ghoſt of the Virgin** Mary, **and was made Man.** I have not read of any Exception to this: For where *Athanaſius* in his Creed ſays of the Son, *He was not made, but begotten*, it is to be underſtood of the Son as he was God Eternal;

nal; whereas here it is ſpoken of the Son as he is Man. And of the Son alſo as he was Man, it may be ſaid he was begotten of the Holy Ghoſt; for a Woman conceiveth not but of him that begetteth; which is alſo confirmed, *Mat.* i. 20. *That which is begotten in her* (τὸ γέννεθεν) *is of the Holy Ghoſt.* **And was alſo Crucified for us under** Pontius Pilate: **He ſuffered and was buried: And the third Day he roſe again according to the Scriptures, and aſcended into Heaven: and ſitteth on the right Hand of the Father; And he ſhall come again with Glory to judge both the Quick and the Dead. Whoſe Kingdom ſhall have no End.** [Of this Part of the Creed I have not met with any Doubt made by any Chriſtian.] Hither the Council of *Nice* proceedeth in their general Confeſſion of Faith, and no further.

This finiſhed, ſome of the Biſhops preſent at the Council (ſeventeen or eighteen, whereof *Euſebius*, Biſhop of *Cæſarea*, was one) not ſufficiently ſatisfied, refuſed to ſubſcribe till this Doctrine of ὁμοούσιος ſhould be better explained. Thereupon the Council decreed, that whoſoever ſhall ſay that God hath Parts, ſhall be anathematized; to which the ſaid Biſhops ſubſcribed. And *Euſebius*, by Order of the Council, wrote a Letter, the Copies whereof were ſent to every abſent Biſhop, that being ſatisfied with the Reaſon of their ſubſcribing, they alſo ſhould ſubſcribe. The Reaſon they gave of their Subſcription was this, *That they had now a Form of Words preſcribed, by which, as a Rule, they might guide themſelves ſo, as not to violate the Peace of the Church.* By this it is manifeſt, that no Man was an Heretic, but he that in plain and direct Words contradicted that Form by the Church preſcribed, and that no Man could be made *an Heretic by Conſequence.* And becauſe the ſaid Form was not put into the Body of the ſaid Creed, but directed only to the Biſhops, there was no Reaſon to puniſh any Lay-perſon that ſhould ſpeak to the contrary.

But what was the Meaning of this Doctrine, *That God has no Parts?* Was it made Hereſy to ſay, that God, who is a real Subſtance, cannot be conſidered or ſpoken of as *here* or *there*, or any where, which are Parts of Places? or that there is any real Thing without Length every way, that is to ſay, which hath no Magnitude at all, finite nor infinite? or is there any whole Subſtance, whoſe two Halves or three Thirds are not the ſame with that Whole? or did they mean to condemn the Argument of *Tertullian*, by which he confuted *Apelles* and other Heretics of his Time; namely, *Whatſoever was not Corporeal, was nothing but Phantaſm, and not Corporeal*, for Heretical? No certainly, no Divines ſay that. They went to eſtabliſh the Doctrine of *One individual God in Trinity*; to aboliſh the Diverſity of Species in God, not the Diſtinction of *here* and *there* in Subſtance. When St. *Paul* aſked the *Corinthians*, *Is Chriſt divided?* He did not think they thought him impoſſible to be conſidered as having Hands and Feet, but that they might think him (according to the manner of the Gentiles) one of the Sons of God, as *Arius* did; but not the only begotten Son of God. And thus alſo it is expounded in the Creed of *Athanaſius*, who was preſent in that Council, by theſe Words, *Not confounding the Perſons, nor dividing the Subſtances*; that is to ſay, that God is not divided into three Perſons, as Man is divided into *Peter*, *James*, and *John*; nor are the three Perſons one and the ſame Perſon. But *Ariſtotle*, and from him all the *Greek* Fathers, and other learned Men, when they conſider the general Latitude of a Word, they call it Diviſion; as when they divide *Animal* into Man and Beaſt, they call theſe εἴδη, *Species*; and when they again divide the *Species* Man into *Peter* and *John*, they call theſe μέρη, *partes individuæ.* And by this confounding the Diviſion of the Subſtance with the Diſtinction of Words, divers Men have been led into the Error of attributing to God a Name, which is not the Name of any Subſtance at all, *viz. Incorporeal.*

By theſe Words, *God has no Parts*, thus explained, together with the Part of the Creed which was at that Time agreed on, many of thoſe Hereſies which were antecedent to that firſt general Council, were condemned; as that of *Manes*, who appeared about thirty Years before the Reign of *Conſtantine*, by the firſt Article, *I be-*

lieve in one God; though in other Words it ſeems to me to remain ſtill in the Doctrine of the Church of *Rome*, which ſo aſcribeth a Liberty of the Will to Men, as that their Will and Purpoſe to commit Sin, ſhould not proceed from the Cauſe of all Things, God; but originally for themſelves, or from the Devil. It may ſeem perhaps to ſome, that by the ſame Words the *Anthropomorphites* alſo were then condemned: And certainly, if by Parts were meant not Perſons individual, but Pieces, they were condemned: For Face, Arms, Feet, and the like, are Pieces. But this cannot be, for the *Anthropomorphites* appeared not till the Time of *Valens* the Emperor, which was after the Council of *Nice* between forty and fifty Years; and was not condemned till the ſecond General Council at *Conſtantinople*.

Now for the Puniſhment of Heretics ordained by *Conſtantine*, we read of none; but that Eccleſiaſtical Officers, Biſhops and other Preachers, if they refuſed to ſubſcribe to this Faith, or thought the contrary Doctrine, were for the firſt Fault deprived of their Offices, and for the ſecond baniſhed. And thus did Hereſy, which at firſt was the Name of private Opinion, and no Crime, by Virtue of a Law of the Emperor, made only for the Peace of the Church, become a Crime in a Paſtor, and puniſhable with Deprivation firſt, and next with Baniſhment.

After this Part of the Creed was thus eſtabliſhed, there aroſe preſently many new Hereſies, partly about the Interpretation of it, and partly about the Holy Ghoſt, of which the *Nicene* Council had not determined. Concerning the Part eſtabliſhed, there aroſe Diſputes about the Nature of Chriſt, and the Word *Hypoſtaſis*, *id eſt*, Subſtance; for of Perſons there was yet no Mention made, the Creed being written in *Greek*, in which Language there is no Word that anſwereth to the *Latin* Word *Perſona*. And the Union, as the Fathers called it, of the human and divine Nature in Chriſt, *Hypoſtatical*, cauſed *Eutyches*, and after him *Dioſcorus*, to affirm, there was but one Nature in Chriſt; thinking that whenſoever two Things are united, they are one: And this was condemned as *Arianiſm* in the Councils of *Conſtantinople* and *Epheſus*. Others, becauſe they thought two living and rational Subſtances, ſuch as are God and Man, muſt needs be alſo two *Hypoſtaſes*, maintained that Chriſt had two *Hypoſtaſes*: But theſe were two Hereſies condemned together. Then concerning the Holy Ghoſt, *Neſtorius* Biſhop of *Conſtantinople*, and ſome others, denied the Divinity thereof. And whereas about ſeventy Years before the *Nicene* Council, there had been holden a Provincial Council at *Carthage*, wherein it was decreed, that thoſe Chriſtians which in the Perſecutions had denied the Faith of Chriſt, ſhould not be received again into the Church unleſs they were again baptized: This alſo was condemned, though the Preſident in that Council were that moſt ſincere and pious Chriſtian, *Cyprian*. And at laſt the Creed was made up intire as we have it, in the *Chalcedonian* Council, by Addition of theſe Words, **And I believe in the Holy Ghoſt, the Lord and Giver of Life, who proceedeth from the Father and the Son. Who with the Father and the Son together is worſhipped and glorified. Who ſpake by the Prophets. And I believe one Catholic and Apoſtolic Church. I acknowledge one Baptiſm for the Remiſſion of Sins. And I look for the Reſurrection of the Dead, and the Life of the World to come.** In this Addition are condemned, firſt the *Neſtorians* and others, in theſe Words, **Who with the Father and the Son together is worſhipped and glorified:** And ſecondly, the Doctrine of the Council of *Carthage*, in theſe Words, **I believe one Baptiſm for the Remiſſion of Sins:** For one Baptiſm is not there put as oppoſite to ſeveral Sorts or Manners of Baptiſm, but to the Iteration of it. St. *Cyprian* was a better Chriſtian than to allow any Baptiſm that was not in the Name of the Father, Son, and Holy Ghoſt. In the general Confeſſion of Faith contained in the Creed called the *Nicene* Creed, there is no Mention of *Hypoſtaſis*, nor of Hypoſtatical Union, nor of Corporeal, nor of Incorporeal, nor of Parts; the underſtanding of which Words being not required of the Vulgar, but only of the Paſtors, whoſe Diſagreement elſe might trouble the Church; nor were ſuch Points neceſſary to Salvation, but ſet abroach for Oſtentation of Learning, or elſe to dazle Men, with Deſign to lead them towards ſome Ends of their own. The Changes of Prevalence in the Empire between the *Catholics* and the *Arians*, and how the great *Athanaſius*, the moſt fierce of the *Catholics*, was baniſhed by *Conſtantine*, and afterwards reſtored, and again baniſhed, I let paſs; only it is to be remembered, that *Athanaſius* is ſuppoſed to have made his Creed then, when (baniſhed) he was in *Rome*, *Liberius* being Pope; by whom, as is moſt likely, the Word *Hypoſtaſis*, as it was in *Athanaſius*'s Creed, was diſliked: For the *Roman* Church could be never brought to receive it, but inſtead thereof uſed their own Word *Perſona*. But the firſt and laſt Words of that Creed the Church of *Rome* refuſed not: For they make every Article, not only thoſe of the Body of the Creed, but all the Definitions of the *Nicene* Fathers to be ſuch, as a Man cannot be ſaved, unleſs he believe them ſtedfaſtly; though made only for Peace Sake, and to unite the Minds of the Clergy, whoſe Diſputes were like to trouble the Peace of the Empire. After theſe four firſt General Councils, the Power of the *Roman* Church grew up apace; and either by the Negligence or Weakneſs of the ſucceeding Emperors, the Pope did what he pleaſed in Religion. *There was no Doctrine which tended to the Power Eccleſiaſtical, or to the Reverence of the Clergy, the Contradiction whereof was not by one Council or another made Hereſy, and puniſhed arbitrarily by the Emperors with Baniſhment or Death.* And at laſt Kings themſelves, and Commonwealths, unleſs they purged their Dominions of Heretics, were excommunicated, interdicted, and their Subjects let looſe upon them by the Pope; inſomuch as to an ingenuous and ſerious Chriſtian, there was nothing ſo dangerous as to enquire concerning his own Salvation, of the holy Scripture; the careleſs cold Chriſtian was ſafe, and the ſkilful Hypocrite a Saint. But this is a Story ſo well known, as I need not inſiſt upon it any longer, but proceed to the Heretics here in *England*, and what Puniſhments were ordained for them by Acts of Parliament. All this while the penal Laws againſt Heretics were ſuch, as the ſeveral Princes and States, in their own Dominions, thought fit to enact. The Edicts of the Emperors made their Puniſhments Capital, but for the Manner of the Execution, left it to the Prefects of Provinces: And when other Kings and States intended (according to the Laws of the *Roman* Church) to extirpate Heretics, they ordained ſuch Puniſhment as they pleaſed. The firſt Law that was here made for the Puniſhments of Heretics called *Lollards*, and mentioned in the Statutes, was in the fifth Year of *Richard* II. occaſioned by the Doctrine of *John Wickliff* and his Followers; which *Wickliff*, becauſe no Law was yet ordained for his Puniſhment in Parliament, by the Favour of *John* of *Gaunt*, the King's Son, during the Reign of *Edward* III. had eſcaped. But in the fifth Year of the next King, which was *Richard* II. there paſſed an Act of Parliament to this Effect; That Sheriffs and others ſhould have Commiſſions to apprehend ſuch as were certified by the Prelates to be Preachers of Hereſy, their Fautors, Maintainers and Abettors, and to hold them in ſtrong Priſon, till they ſhould juſtify themſelves, according to the Law of holy Church. So that hitherto there was no Law in *England* by which a Heretic could be put to Death, or otherwiſe puniſhed, than by impriſoning him till he was reconciled to the Church. After this, in the next King's Reign, which was *Henry* IV. Son of *John* of *Gaunt* by whom *Wickliff* had been favoured, *and who in his aſpiring to the Crown had needed the Good-will of the Biſhops*, was made a Law, in the ſecond Year of his Reign, wherein it was enacted, That every Ordinary may convene before him, and impriſon any Perſon ſuſpected of Hereſy; and that an obſtinate Heretic ſhall be burnt before the People.

In the next King's Reign, which was *Henry* V. in his ſecond Year, was made an Act of Parliament, wherein it is declared, that the Intent of Heretics, called *Lollards*, was to ſubvert the Chriſtian Faith, the Law of God, the Church, and the Realm: And that an Heretic convict ſhould forfeit all his Fee-ſimple Lands, Goods and Chattels, beſides the Puniſhment of Burning. Again, in the five and twentieth Year of King *Henry* VIII. it was enacted, that an Heretic convict ſhall abjure his Hereſies, and refuſing ſo to do, or relapſing, ſhall be burnt in open Place, for Example of others. This Act was made after the putting down of the Pope's

Authority: and by this it appears, that King *Henry* VIII. intended no farther Alteration in Religion, than the Recovering of his own Right Eccleſiaſtical. But in the firſt Year of his Son King *Edward* VI. was made an Act, by which were repealed not only this Act, but alſo all former Acts concerning Doctrines, or Matters of Religion; ſo that at this Time there was no Law at all for the Puniſhment of Heretics.

Again, in the Parliament of the firſt and ſecond Year of Queen *Mary*, this Act of 1 *Edw.* VI. was not repealed, but made uſeleſs, by reviving the Statute of 25 *Hen.* VIII. and they freely put it in Execution; inſomuch as it was debated, Whether or no they ſhould proceed upon that Statute againſt the Lady *Elizabeth*, the Queen's Siſter.

The Lady *Elizabeth*, not long after, by the Death of Queen *Mary*, coming to the Crown; in the fifth Year of her Reign, by Act of Parliament repealed in the firſt place all the Laws eccleſiaſtical of Queen *Mary*, with all other former Laws concerning the Puniſhment of Heretics; nor did ſhe enact any other Puniſhments in their place. In the ſecond place it was enacted, That the Queen by her Letters Patents, ſhould give a Commiſſion to the Biſhops, with certain other Perſons, in her Majeſty's Name, to execute the Power eccleſiaſtical; in which Commiſſion the Commiſſioners were forbidden to adjudge any thing to be Hereſy, which was not declared to be Hereſy by ſome of the firſt four General Councils: But there was no Mention made of General Councils, but only in that Branch of the Act which authoriſed that Commiſſion, commonly called, *The High Commiſſion*; nor was there in that Commiſſion any thing concerning how Heretics were to be puniſhed, but it was granted to them, that they might declare, or not declare, as they pleaſed, to be Hereſy or not Hereſy, any of theſe Doctrines which had been condemned for Hereſy in the firſt four General Councils. So that during the Time that the ſaid High Commiſſion was in being, there was no Statute by which a Heretic could be puniſhed otherways, than by the ordinary Cenſures of the Church; nor Doctrine accounted Hereſy, unleſs the Commiſſioners had actually declared and publiſhed, that all which was made Hereſy by thoſe four Councils, ſhould be made Hereſy alſo now: But I never heard that any ſuch Declaration was made either by Proclamation, or by recording it in Churches, or by public Printing, as in penal Laws is neceſſary; the Breaches of it are excuſed by Ignorance: Beſides, if Hereſy had been made capital, or otherwiſe civilly puniſhable, either the four General Councils themſelves, or at leaſt the Points condemned in them, ought to have been printed, or put into Pariſh Churches in *Engliſh*, becauſe without it, no Man could know how to beware of offending againſt them.

Some Men may perhaps aſk, Whether nobody were condemned and burnt for Hereſy, during the Time of the High Commiſſion?

I have heard there were: But they which approve ſuch Executions, may peradventure know better Grounds for them than I do; but thoſe Grounds are very well worthy to be enquired after.

Laſtly, in the ſeventeenth Year of the Reign of King *Charles* I. ſhortly after that the *Scots* had rebelliouſly put down the Epiſcopal Government in *Scotland*, the Preſbyterians in *England* endeavoured the ſame here. The King, though he ſaw the Rebels ready to take the Field, would not condeſcend to that; but yet in hope to appeaſe them, was content to paſs an Act of Parliament for aboliſhing the High Commiſſion. But though the High Commiſſion were taken away, yet the Parliament having other Ends beſides the ſetting up of the Preſbyterate, purſued the Rebellion, and put down both Epiſcopacy and Monarchy, erecting a Power, by them called, *The Commonwealth*; by others, the *Rump*; which Men obey'd not out of Duty, but for Fear; nor was there any human Laws left in Force to reſtrain any Man from preaching or writing any Doctrine concerning Religion that he pleaſed; and in this Heat of the War, it was impoſſible to diſturb the Peace of the State, which then was none.

And in this Time it was, that a Book called *Leviathan*, was written in Defence of the King's Power, Temporal and Spiritual, without any Word againſt Epiſcopacy, or againſt any Biſhop, or againſt the public Doctrine of the Church. It pleaſed God about twelve Years after the Uſurpation of this *Rump*, to reſtore his moſt gracious Majeſty that now is, to his Father's Throne, and preſently his Majeſty reſtored the Biſhops, and pardoned the Preſbyterians; but then both the one and the other accuſed in Parliament this Book of Hereſy, when neither the Biſhops before the War had declared what was Hereſy, when if they had, it had been made void by the putting down of the High Commiſſion at the Importunity of the Preſbyterians. So fierce are Men, for the moſt Part, in Diſpute, where either their Learning or Power is debated, that they never think of the Laws, but as ſoon as they are offended, they cry out, *Crucify*; forgetting what St. *Paul* ſaith, even in caſe of obſtinate holding of an Error, 2 *Tim.* ii. 24, 25. *The Servant of the Lord muſt not ſtrive, but be gentle unto all Men, apt to teach, patient, in Meekneſs inſtructing thoſe that oppoſe, if God peradventure may give them Repentance, to the acknowledging of the Truth*: Of which Counſel, ſuch Fierceneſs as hath appeared in the Diſpoſition of Divines, down from before the Council of *Nice* to this preſent Time, is a Violation.

OF
LIBERTY
AND
NECESSITY:
A
TREATISE.

WHEREIN

All Controverſy concerning PREDESTINATION, ELECTION, FREE-WILL, GRACE, MERITS, REPROBATION, &c. is fully decided and cleared.

TO THE
Lord MARQUESS of
NEWCASTLE.

Right Honourable,

I Had once reſolved to anſwer my *Lord Biſhop*'s Objections to my Book *De* CIVE in the firſt Place, as that which concerns me moſt, and afterwards to examine his Diſcourſe of LIBERTY and NECESSITY, which (becauſe I never uttered my Opinion of it) concerned me the leſs. But ſeeing it was your Lordſhip's and my Lord Biſhop's Deſire that I ſhould begin with the *latter*, I was contented ſo to do, and I here preſent and ſubmit it to your Lordſhip's Judgment.

And firſt, I aſſure your Lordſhip, I find in it no new Argument, neither from *Scripture*, nor from *Reaſon*, that I have not often heard before, which is as much as to ſay, I am not ſurprized.

The *Preface* is a handſome one, but it appeareth even in that, that he hath miſtaken the Queſtion. For whereas he ſays thus, *If I be free to write this Diſcourſe, I have obtained the Cauſe:* I deny that to be true; for 'tis enough to his Freedom of Writing, that he had not written it, unleſs he would himſelf. If he will obtain the Cauſe, he muſt prove, that before he writ it, it was not neceſſary he ſhould prove it afterward. It may be, his Lordſhip thinks it all one to ſay, *I was free* to write it, and, *It was not neceſſary* I ſhould write it; but I think otherwiſe: for he is *free* to do a thing, that may do it if he have the Will to do it, and may forbear, if he have the Will to forbear. And yet if there be a *Neceſſity* that he ſhall have the *Will* to do it, the Action is neceſſarily to follow: and if there be a *Neceſſity* that he ſhall have the *Will* to forbear, the Forbearing alſo will be neceſſary. The Queſtion therefore is not, Whether a *Man* be a *free Agent*, that is to ſay, Whether he can write or forbear, ſpeak or be ſilent, according to his *Will*; but, Whether the *Will* to write, and the *Will* to forbear, come upon him according to his *Will*, or according to any thing elſe in his own Power. I acknowledge this *Liberty* that I *can* do if I *will*; but to ſay, I can *will* if I *will*, I take to be an abſurd Speech, wherefore I cannot grant my Lord the Cauſe upon his *Preface*.

In the next Place he maketh certain Diſtinctions of *Liberty*, and ſays, he meaneth not *Liberty* from *Sin*, nor from *Servitude*, nor from *Violence*, but, from *Neceſſity*, *Neceſſitation*, *Inevitability*, and *Determination, to one*.

It had been better to *define Liberty*, than thus to *diſtinguiſh*; for I underſtand never the more what he means by *Liberty*, and though he ſay he means *Liberty* from *Neceſſitation*, yet I underſtand not how ſuch a *Liberty* can be, and 'tis a taking of the Queſtion without Proof: For what is elſe the Queſtion between us, but whethet *ſuch* a Liberty be poſſible or not?

There are in the ſame Place other Diſtinctions, as a Liberty of *Exerciſe only* (which he calls a *Liberty of Contradiction*, namely, of doing not Good or Evil *ſimply*, but of doing this or that Good, or this or that Evil *reſpectively)* and a *Liberty of Specification and Exerciſe alſo* (which he calls a Liberty of *Contrariety)* namely, a Liberty not only to do Good or Evil, but alſo to do or not do this or that Good or Evil.

And with theſe *Diſtinctions* his Lordſhip ſays he *clears the Coaſt*, whereas in Truth he darkeneth his own Meaning and the Queſtion, not only with the Jargon of *Exerciſe only*, *Specification alſo*, *Contradiction*, *Contrariety*, but alſo with pretending Diſtinction where none is: For how is it poſſible that the *Liberty* of doing or not doing this or that Good or Evil, can conſiſt (as he ſays it does, in God and good Angels) without a Liberty of doing or not doing Good or Evil?

The next thing his Lordſhip does, after clearing of the Coaſt, is the dividing of his Forces (as he calls them) into *two* Squadrons, *one* of Places *of Scriptures*, the *other* of *Reaſons*; which Allegory he uſeth, I ſuppoſe, becauſe he addreſſeth the Diſcourſe to your Lordſhip, who is a military Man. All that I have to ſay, touching this, is, that I obſerve a great Part of thoſe his *Forces* do look and *march* another Way, and ſome of them *fight* amongſt themſelves.

And the firſt Place of *Scripture* taken from *Numb.* xxx. 14. is one of thoſe that look another Way; the Words are, *If a Wife make a Vow, it is left to her Huſband's Choice either to eſtabliſh it or make it void.* For it proves no more but that the Huſband is a *free* and *voluntary Agent*, but not that his *Choice* therein is not *neceſſitated* or not *determined* to what he ſhall chuſe, by precedent *neceſſary* Cauſes.

For if there come into the Huſband's Mind greater Good by eſtabliſhing than abrogating ſuch a Vow, the Eſtabliſhing will follow neceſſarily; and if the Evil that will follow, in the Huſband's Opinion, outweigh the Good, the contrary muſt needs follow: and yet in this following of one's *Hopes* and *Fears*, conſiſteth the Nature of *Election.* So that a Man may both chuſe this, and cannot but chuſe this, and conſequently *Chuſing* and *Neceſſity* are joined together.

The ſecond Place of Scripture is *Joſhua* xxiv. 15. The third is 2 *Sam.* xxiv. 12. whereby it is clearly proved, that there is *Election* in *Man*, but not proved that ſuch *Election* was not *neceſſitated* by the *Hopes* and *Fears*, and Conſiderations of *Good* and *Bad* to follow, which depend not on the *Will*, nor are ſubject to *Election*. And therefore one Anſwer ſerves all ſuch Places, as if there were a thouſand.

But his Lordſhip ſuppoſing, it ſeems, I might anſwer, as I have done, that *Neceſſity* and *Election* might ſtand together, and inſtance in the Actions of *Children*, *Fools*, or *brute Beaſts*, whoſe *Fancies*, I might ſay, are *neceſſitated* and *determined* to *one*; before theſe his Proofs out of Scripture, deſires to prevent that Inſtance, and therefore ſays, that the Actions of *Children*, *Fools*, *Madmen*, and *Beaſts*, are indeed *determined*, but that they proceed not from *Election*, nor from *free*, but from *ſpontaneous Agents*. As for Example, that the *Bee*, when it maketh Honey, does it *ſpontaneouſly*; and when the *Spider* makes his Web, he does it *ſpontaneouſly*, but not by *Election*.

Though I never meant to ground my Anſwer upon the Experience of what *Children*, *Fools*, *Madmen*, and *Beaſts* do; yet that your Lordſhip may underſtand what can be meant by *ſpontaneous*, and how it differeth from *voluntary*, I will anſwer that *Diſtinction*, and ſhew that it *fighteth* againſt its fellow Arguments.

Your Lordſhip is therefore to conſider, that all *voluntary* Actions, where the Thing that induceth the *Will* is not *Fear*, are called alſo *ſpontaneous*, and ſaid to be done by a Man's *own* Accord. As when a Man giveth Money voluntarily to another for Merchandize, or out of Affection, he is ſaid to do it of his own Accord, which in *Latin* is *Sponte*, and therefore the Action is *ſpontaneous* (though to give one's Money willingly to a Thief to avoid Killing, or throw it into the Sea to avoid Drowning, where the Motive is *Fear*, be not called *ſpontaneous.)* But every *ſpontaneous* Action is not therefore *voluntary*, for *voluntary* preſuppoſes ſome precedent *Deliberation*, that is to ſay, ſome *Conſideration*, and *Meditation*, of what is likely to *follow*, both upon the doing, and abſtaining from the Action deliberated of; whereas many Actions are done of our *own* Accord, and are therefore *ſpontaneous*; for which nevertheleſs, as my Lord thinks, we never conſulted nor *deliberated* in ourſelves. As when making no Queſtion, nor any the leaſt Doubt in the World, but the Thing we are about is good, we *eat* and *walk*, or in Anger *ſtrike* or *revile*, which my Lord thinks *ſpontaneous*, but not *voluntary* nor *elective* Actions, and with *ſuch* kind of Actions, he ſays *Neceſſitation* may ſtand, but not with ſuch as are *voluntary*, and proceed upon *Election* and *Deliberation*. Now if I make it appear to your Lordſhip, that thoſe Actions, which, he ſays, proceed from *Spontaneity*, and which he aſcribes to *Children*, *Fools*, *Madmen*, and *Beaſts*, proceed from *Election* and *Deliberation*, and that Actions *inconſiderate*, *raſh*, and *ſpontaneous*, are ordinarily found in thoſe, that are by themſelves and many more thought as *wiſe*, or wiſer than ordinarily Men are, then my Lord Biſhop's Argument concludeth, that *Neceſſity* and *Election* may ſtand together, which is contrary to that which he intended by all the reſt of his Arguments to prove.

And firſt your Lordſhip's own Experience furniſhes you with Proof enough, that *Horſes*, *Dogs*, and other brute *Beaſts*, do *demur* oftentimes upon the Way they are to take, the Horſe retiring from ſome ſtrange Figure that he ſees, and coming on again to avoid the Spur. And what elſe doth a Man that *deliberateth*, but one while *proceed* toward Action, another while *retire* from it, as the *Hope* of greater *Good* draws him, or the *Fear* of greater Evil *drives* him away.

A *Child* may be ſo young as to do what it does without all *Deliberation*, but that is but till it have the Chance to be hurt by doing of ſomewhat, or till it be of Age to underſtand the Rod: for the Actions, wherein he hath once had a Check, ſhall be *deliberated* on the ſecond Time.

Fools and *Madmen* manifeſtly *deliberate* no leſs than the *wiſeſt* Men, though they make not ſo good a *Choice*, the Images of Things being by Diſeaſe altered.

For *Bees* and *Spiders*, if my Lord Biſhop had had ſo little to do as to be a Spectator of their Actions, he would have confeſſed not only *Election* but *Art*, *Prudence* and *Policy*, in them, very near equal to that of Mankind. Of *Bees*, *Ariſtotle* ſays, *their Life is Civil.*

Again, his Lordſhip is deceived if he think any *ſpontaneous* Action after once being checked in it, differs from an Action *voluntary* and *elective*: for even the ſetting of a Man's Foot, in the Poſture for *Walking*, and the Action of ordinary *Eating*, was once *deliberated* of how and when it ſhould be done, and though afterward it became *eaſy* and *habitual*, ſo as to be done without *Fore-thought*; yet that does not hinder but that the Act is *voluntary*, and proceedeth from *Election*. So alſo are the *raſheſt* Actions of *Choleric* Perſons *voluntary* and upon *Deliberation*: for who is there but very young Children, that hath not *conſidered* when and how far he *ought*, or ſafely *may* ſtrike or revile? Seeing then his Lordſhip agrees with me, that ſuch Actions are *neceſſitated*, and the *Fancy* of thoſe that do them *determined* to the Action they do, it follows, out of his Lordſhip's own Doctrine, that the Liberty of *Election* does not take away the *Neceſſity* of *electing* this or that *individual* Thing. And thus one of his Arguments fights againſt another.

The ſecond Argument from *Scripture* conſiſteth in Hiſtories of Men that did one Thing, when if they would, they might have done another; the Places are two: One is 1 *Kings* iii. 11. where the Hiſtory ſays, God was pleaſed that *Solomon*, who might, if he would, have aſked *Riches*, or *Revenge*, did nevertheleſs aſk *Wiſdom* at God's Hands; the other is the Words of St *Peter* to *Ananias*, Acts v. 4. *After it was ſold, was it not in thine own Power?*

To which the Anſwer is the ſame with that I anſwered to the former Places, that they prove there is *Election*, but do not diſprove the *Neceſſity*, which I maintain, of what they ſo elect.

The fourth Argument (for to the third and fifth I ſhall make but one Anſwer) is to this Effect; *If the Decree of God, or his Foreknowledge, or the Influence of the Stars, or the Concatenation of Cauſes, or the Phyſical or Moral Efficacy of Cauſes, or the laſt Dictate of the Underſtanding, or whatſoever it be, do take away true Liberty, then* Adam *before his Fall had no true Liberty. Quicquid oſtendes mihi ſic incredulus odi.*

That which I ſay *neceſſitateth and determinateth every Action* (that his Lordſhip may no longer doubt of my Meaning) is the *Sum of all Things, which being now exiſtent, conduce and concur to the Production of that Action hereafter, whereof if any one Thing now were wanting, the Effect could not be produced.* This *Concourſe* of *Cauſes*, whereof every one is *determined* to be ſuch as it is by a like Concourſe of *for-*

mer Cauſes, may well be called (in reſpect they were all ſet and ordered by the eternal Cauſe of all Things, God Almighty) the *Decree* of God.

But that the *Foreknowledge* of God ſhould be a Cauſe of any thing, cannot be truly ſaid, ſeeing Foreknowledge is Knowledge, and Knowledge depends on the Exiſtence of the Things known, and not they on it.

The *Influence of the Stars* is but a ſmall Part of the whole Cauſe, conſiſting of the Concourſe of all Agents.

Nor does the *Concourſe of all Cauſes* make one ſimple *Chain* or Concatenation, but an innumerable Number of Chains, joined together, not in all Parts, but in the firſt Link God Almighty; and conſequently the whole Cauſe of an Event, doth not always depend on one ſingle Chain, but on many together.

Natural Efficacy of *Objects* does *determine voluntary* Agents, and *neceſſitates* the *Will*, and conſequently the *Action*; but for *moral* Efficacy, I underſtand not what he means.

The laſt Dictate of the Judgment, concerning the Good or Bad that may follow on any Action, is not properly the *whole Cauſe*, but the laſt Part of it, and yet may be ſaid to produce the Effect *neceſſarily*, in ſuch Manner as the laſt Feather may be ſaid to break a Horſe's Back, when there were ſo many laid on before as there wanted but that one to do it.

Now for his *Argument*, that *if the Concourſe of all the Cauſes neceſſitate* the *Effect*, *that then it follows*, Adam *had no true Liberty:* I deny the Conſequence; for I make not only the *Effect*, but alſo the *Election*, of that particular Effect *neceſſary*, inaſmuch as the Will itſelf, and each Propenſion of a Man during his Deliberation, is as much neceſſitated, and depends on a ſufficient Cauſe as any thing elſe whatſoever. As for Example, it is no more neceſſary that Fire ſhould burn, than that a Man or other Creature, whoſe Limbs be moved by Fancy, ſhould have *Election*, that is, *Liberty*, to do what he hath a Fancy to do, though it be not in his *Will* or *Power* to *chuſe* his *Fancy*, or chuſe his *Election* and *Will*.

This Doctrine, becauſe my Lord Biſhop ſays he hates, I doubt had better been ſuppreſſed, as it ſhould have been, if both your Lordſhip and he had not preſſed me to an Anſwer.

The Arguments of greateſt Conſequence, are the third and the fifth, and they fall both into one, namely; *If there be a Neceſſity of all Events, then it will follow, that Praiſe and Reprehenſion, and Reward and Puniſhment, are all vain and unjuſt, and that if God ſhould openly forbid, and ſecretly neceſſitate the ſame Action, puniſhing Men for what they could not avoid, there would be no Belief among them of Heaven and Hell.*

To oppoſe hereunto I muſt borrow an Anſwer from St. *Paul*, *Rom.* ix. 17. From ver. 11 of the Chapter to the 18th, is laid down the very ſame Objection in theſe Words: *When they* (meaning *Eſau* and *Jacob*) *were yet unborn, and had done neither Good nor Evil, that the Purpoſe of God according to Election, not by Works, but by him that calleth, might remain firm, it was ſaid unto her* (*viz.* Rebecca) *That the elder ſhould ſerve the younger*, &c. *What then ſhall we ſay? Is there Injuſtice with God? God forbid. It is not therefore in him that willeth, nor in him that runneth, but in God that ſheweth Mercy. For the Scripture ſaith to Pharaoh, I have ſtirred thee up that I might ſhew my Power in thee, and that my Name might be ſet forth in all the Earth. Therefore whom God willeth, he hath Mercy on, and whom he willeth he hardeneth.* Thus you ſee the Caſe put by St. *Paul*, is the ſame with that of my Lord Biſhop, and the ſame Objection in theſe Words following:

Thou wilt aſk me then, Why does God yet complain, for who hath reſiſted his Will?

To this therefore the Apoſtle anſwers, not by denying it was God's *Will*, or that the Decree of God concerning *Eſau* was not before he had ſinned, or that *Eſau* was not neceſſitated to do what he did; but thus? *Who art thou O Man, that interrogateſt God? ſhall the Work ſay to the Workman, Why haſt thou made me thus? Hath not the Potter Power over the Clay, of the ſame Stuff to make one Veſſel to Honour,* *another to Diſhonour?* According therefore to this Anſwer of St. *Paul*, I anſwer my Lord's Objection, and ſay, the *Power* of God alone, without other Helps, is ſufficient *Juſtification* of any Action he doth. That which Men make amongſt themſelves here by Pacts and Covenants, and call by the Name of Juſtice, and according whereunto Men are accounted and termed rightly *juſt* or *unjuſt*, is not that by which God Almighty's Actions are to be meaſured or called juſt, no more than his Counſels are to be meaſured by human Wiſdom. That which he does, is made juſt by his doing it; juſt, I ſay, in him, though not always juſt in us.

For a Man that ſhall command a Thing openly, and plot ſecretly the Hinderance of the ſame, if he puniſh him that he ſo commandeth, for not doing it, it is unjuſt. So alſo, his Counſels are therefore not in vain, becauſe they be his, whether we ſee the Uſe of them or not. When God afflicted *Job*, he did object no Sin unto him, but juſtified his afflicting of him, by telling him of his *Power. Haſt thou, ſaith God, an Arm like mine? Where wert thou when I laid the Foundations of the Earth?* and the like. So our *Saviour*, concerning the Man that was born blind, ſaid, it was not for his Sin, or for his Parents Sin, but that the Power of God might be ſhewn in him. *Beaſts* are ſubject to Death and Torments, yet they cannot ſin, it was God's Will they ſhould be ſo. *Power irreſiſtible juſtifies all Actions, really and properly*, in whomſoever it be found; leſs Power does not: and becauſe ſuch Power is in God only, he muſt needs be juſt in all Actions, and we, that not comprehending his Counſels, call him to the Bar, commit Injuſtice in it.

I am not ignorant of the uſual Reply to this Anſwer, by diſtinguiſhing between *Will* and *Permiſſion*, as that God Almighty does indeed ſometimes *permit* Sins, and that he alſo foreknoweth that the Sin he permitteth, ſhall be committed, but does not *will* it, nor *neceſſitate* it.

I know alſo they diſtinguiſh the Action from the Sin of the Action, ſaying, that God Almighty does indeed cauſe the *Action*, whatſoever Action it be, but not the *Sinfulneſs* and *Irregularity* of it, that is, the *Diſcordance* between the *Action* and the *Law*. Such Diſtinctions as theſe dazzle my Underſtanding; I find no Difference between the *Will* to have a Thing done, and the *Permiſſion* to do it, when he that permitteth can hinder it, and knows that it will be done unleſs he hinder it. Nor find I any Difference between an *Action* and the *Sin* of that Action; as for Example, between the killing of *Uriah*, and the Sin of *David* in killing *Uriah*; nor when *one* is *Cauſe* both of the *Action* and of the *Law*, how *another* can be Cauſe of the *Diſagreement* between them, no more than how one Man making a longer and a ſhorter Garment, another can make the Inequality that is between them. This I know; God cannot ſin, becauſe his doing a Thing makes it juſt, and conſequently, no Sin; as alſo, becauſe whatſoever can ſin, is ſubject to another's Law, which God is not. And therefore 'tis Blaſphemy to ſay, God can ſin; but to ſay, that God can ſo order the World, as a Sin may be neceſſarily cauſed thereby in a Man, I do not ſee how it is any Diſhonour to him. Howſoever, if ſuch or other *Diſtinctions* can make it clear, that St. *Paul* did not think *Eſau*'s or *Pharaoh*'s Actions proceeded from the *Will* and *Purpoſe* of *God*, or that proceeding from his Will, could not therefore without Injuſtice be blamed or puniſhed, I will, aſſoon as I underſtand them, turn unto my Lord's Opinion; for I now hold nothing in all this Queſtion betwixt us, but what ſeemeth to me, not obſcurely, but moſt expreſly ſaid in this Place by St. *Paul*. And thus much in Anſwer to his Places of Scripture.

To the Arguments from Reaſon.

OF the Arguments from *Reaſon*, the firſt is that which his Lordſhip ſaith, is drawn from *Zeno*'s beating of his Man, which is therefore called *Argumentum baculinum*, that is to ſay, a wooden Argument: The Story is this, *Zeno* held, That all Actions were neceſſary; his Man therefore being for ſome Fault beaten, excuſed himſelf upon the Neceſſity of it: To avoid this Excuſe, his Maſter pleaded likewiſe the Neceſſity of beating him. So that not he that maintained, but he that derided the Neceſſity, was beaten, contrary to that his Lordſhip would infer. And the Argument was rather withdrawn than drawn from the Story.

The ſecond Argument is drawn from certain Inconveniences which his Lordſhip thinks would follow ſuch an Opinion. It is true that ill Uſe might be made of it, and therefore your Lordſhip and my Lord Biſhop, ought, at my Requeſt, to keep private what I ſay here of it. But the Inconveniences are indeed none, and what Uſe ſoever be made of Truth, yet Truth is Truth; and now the Queſtion is not, what is fit to be preached, but, what is true.

The firſt Inconvenience he ſays, is this; *That the Laws, which prohibit any Action, will be unjuſt.*

2. *That all Conſultations are vain.*

3. *That Admonitions to Men of Underſtanding are of no more Uſe, than to Children, Fools, and Madmen.*

4. *That Praiſe, Diſpraiſe, Reward and Puniſhment, are in vain.*

5, 6. *That Counſels, Acts, Arms, Books, Inſtruments, Study, Tutors, Medicines, are in vain.*

To which Arguments his Lordſhip expecting I ſhould anſwer, by ſaying, the Ignorance of the Event were enough to make us uſe the Means, adds, (as it were a Reply to my Anſwer foreſeen) theſe Words: *Alas! how ſhould our not knowing the Event be a ſufficient Motive to make us uſe the Means?* Wherein his Lordſhip ſays right, but my Anſwer is not that which he expecteth: I anſwer,

Firſt, That the *Neceſſity* of an *Action* doth not make the *Laws* that prohibit it, *unjuſt*. To let paſs, that not the *Neceſſity*, but the *Will* to break the *Law*, maketh the Action *unjuſt*, becauſe the *Law* regardeth the *Will*, and no other precedent Cauſes of Action. And to let paſs, that no *Law* can poſſibly be *unjuſt*, inaſmuch as every Man maketh (by his Conſent) the Law he is bound to keep, and which conſequently muſt be juſt, unleſs a Man can be unjuſt to himſelf. I ſay, what *neceſſary* Cauſe ſoever precede an *Action*, yet if the Action be *forbidden*, he that doth it *willingly* may juſtly be puniſhed. For Inſtance, ſuppoſe the Law on Pain of Death prohibit Stealing, and that there be a Man, who by the Strength of Temptation is *neceſſitated* to ſteal, and is thereupon put to Death, does not this Puniſhment deter others from Theft? Is it not a Cauſe that others ſteal not? Doth it not frame and make their Wills to Juſtice?

To make the *Law*, is therefore to make a *Cauſe* of *Juſtice*, and to *neceſſitate* Juſtice; and conſequently, 'tis no Injuſtice to make ſuch a Law.

The Intention of the *Law* is not to grieve the *Delinquent*, for that which is paſt, and not to be undone; but to make him and others *juſt*, that elſe would not be ſo, and reſpecteth not the evil Act *paſt*, but the *Good to come*, inſomuch as without the good Intention for the future, no paſt Act of a Delinquent could juſtify his being kill'd in the Sight of God. But you will ſay, How is it juſt to kill one Man to amend another, if what were done were *neceſſary*? To this I anſwer, That Men are juſtly killed, not for that their *Actions* are not *neceſſitated*, but becauſe they are *noxious*, and they are ſpared and preſerved whoſe Actions are not noxious. For where there is no Law, there no Killing, nor any thing elſe, can be unjuſt; and by the Right of Nature, we deſtroy (without being unjuſt) all that is noxious, both Beaſts and Men; and for Beaſts we kill them juſtly, when we do it in order to our own Preſervation; and yet my Lord himſelf confeſſeth, that their Actions as being only *ſpontaneous,* and not *free,* are all *neceſſitated* and determined to that one Thing they ſhall do. For Men, when we make Societies or Commonwealths, we lay not down our Right to kill, excepting in certain Caſes, as Murder, Theft, or other offenſive Action; ſo that the Right which the *Commonwealth* hath to put a Man to Death for Crimes, is not created by the *Law,* but remains from the firſt Right of *Nature,* which every Man hath to preſerve himſelf; for that the Law doth not take the Right away in the Caſe of Criminals, who were by the Law excepted. Men are not therefore put to Death, or puniſhed, for that their Theft proceedeth from *Election*; but becauſe it was *noxious,* and contrary to Men's Preſervation, and the Puniſhment conducing to the Preſervation of the reſt, inaſmuch as to puniſh thoſe that do voluntary Hurt, and none elſe, frameth and maketh Men's *Wills* ſuch as Men would have them. And thus it is plain, that from the *Neceſſity* of a *voluntary* Action, cannot be inferred the *Injuſtice* of the *Law* that forbiddeth it, or the Magiſtrate that puniſheth it.

Secondly, I deny that it maketh *Conſultations* to be in *vain,* 'tis the *Conſultation* that *cauſeth* a Man, and *neceſſitateth* him to *chuſe* to do one Thing rather than another: So that unleſs a Man ſay that that Cauſe is in vain which neceſſitateth the Effect, he cannot infer the Superfluouſneſs of Conſultation out of the Neceſſity of the Election proceeding from it. But it ſeemeth his Lordſhip reaſons thus: If I muſt do this rather than that, I ſhall do this rather than that, though I conſult not at all; which is a falſe Propoſition and a falſe Conſequence, and no better than this; If I ſhall live till To-morrow, I ſhall live till To-morrow, tho' I run myſelf through with a Sword To-day. If there be a *Neceſſity* that an Action ſhall be done, or that any Effect ſhall be brought to paſs, it does not therefore follow, that there is nothing neceſſarily requiſite as a Means to bring it to paſs; and therefore when it is determined, that one Thing ſhall be choſen before another, 'tis determined alſo for what *Cauſe* it ſhall ſo be choſen, which Cauſe, for the moſt part, is *Deliberation* or *Conſultation,* and therefore Conſultation is not in vain, and indeed the leſs in vain by how much the Election is more neceſſitated, if *More* and *Leſs* had any Place in *Neceſſity.*

The ſame Anſwer is to be given to the third ſuppoſed Inconvenience, namely, that *Admonitions* are in *vain*; for the Admonitions are Parts of Conſultation, the Admonitor being a Counſellor for the Time to him that is admoniſhed.

The fourth pretended Inconvenience is, that *Praiſe, Diſpraiſe, Reward* and *Puniſhment,* will be in *vain.* To which I anſwer, that for *Praiſe* and *Diſpraiſe,* they depend not at all on the *Neceſſity* of the Action praiſed or diſpraiſed. For what is it elſe to *praiſe,* but to ſay a Thing is good? Good I ſay, for me, or for ſome Body elſe, or for the State and Commonwealth? And what is it to ſay an Action is good, but to ſay it is as I would wiſh, or as another would have it, or according to the Will of the State? that is to ſay, according to the Law. Does my Lord think that no Action can pleaſe me, or him, or the Commonwealth, that ſhould proceed from *Neceſſity?* Things may be therefore *neceſſary,* and yet *Praiſe-worthy,* as alſo *neceſſary,* and yet *diſpraiſed,* and neither of them both in vain; becauſe *Praiſe* and *Diſpraiſe,* and likewiſe *Reward* and *Puniſhment,* do by Example make and conform the Will to Good and Evil. It was a very great Praiſe in my Opinion, that *Velleius Paterculus* gives *Cato,* where he ſays that he was good by *Nature, & quia aliter eſſe non potuit.*

To the fifth and ſixth Inconveniences, that *Counſels, Arts, Arms, Inſtruments, Books, Study, Medicines,* and the like, would be *ſuperfluous,* the ſame Anſwer ſerves as to the former, that is to ſay, that this Conſequence, *If the Effect ſhall neceſſarily come to paſs, then it ſhall come to paſs without its Cauſes,* is a falſe one, and thoſe things named Counſels, Arts, Arms, *&c.* are the Cauſes of theſe Effects.

His Lordſhip's *third* Argument conſiſteth in other *Inconveniences,* which he ſaith will follow, namely, *Impiety* and *Negligence* of religious Duties, as Repentance, and *Zeal* to God's Service, *&c.*

To which I anſwer as to the reſt, that they follow not. I muſt confeſs, if we conſider the greateſt Part of Mankind, not as they ſhould be, but as they are, that is, as Men, whom either the Study of acquiring Wealth, or Preferment, or whom the Appetite of ſenſual Delights, or the Impatience of meditating, or the raſh embracing of wrong Principles, have made unapt to diſcuſs the Truth of Things: I muſt, I ſay, confeſs, that the Diſpute of this Queſtion will rather hurt than help their Piety; and therefore if his Lordſhip had not deſired this Anſwer, I ſhould not have written it, nor do I write it but in Hopes your Lordſhip and his will keep it private. Nevertheleſs in very Truth, the *Neceſſity* of Events does not of itſelf draw with it any *Impiety* at all. For *Piety* conſiſteth in *two* Things; one that we honour God in our Hearts, which is, that we think as highly of his *Power* as we can, (for to honour any thing is nothing elſe but to think it to be of great Power;) the other is, that we ſignify that Honour and Eſteem by our Words aud Actions, which is called *Cultus*, or *Worſhip of God*. He therefore that thinketh that all Things proceed from God's *eternal Will*, and conſequently are *neceſſary*, does he not think God *Omnipotent?* Does he not eſteem of his *Power* as highly as is poſſible? which is to honour God as much as may be in his Heart. Again, he that thinketh ſo, is he not more apt by *external* Acts and Words to acknowledge it, than he that thinketh otherwiſe? yet is this external Acknowledgment the ſame thing which we call *Worſhip*. So that this Opinion fortifies *Piety* in both Kinds, external and internal; therefore far from deſtroying it. And for *Repentance*, which is nothing elſe but a glad Returning in the right Way, after the Grief of being out of the Way; though the Cauſe that made him go aſtray were neceſſary, yet there is no Reaſon why he ſhould not grieve; and again, though the Cauſe why he returned into the Way were neceſſary, there remained ſtill the Cauſes of Joy. So that the *Neceſſity* of the Actions taketh away neither of thoſe Parts of *Repentance*, Grief for the Error, and Joy for returning.

And for *Prayer*, whereas he ſaith, that the *Neceſſity* of Things deſtroy *Prayer*; I deny it: for though *Prayer* be none of the *Cauſes* that *move* God's *Will*, (his Will being unchangeable) yet ſince we find in God's Word, he will not give his Bleſſings but to thoſe that aſk, the Motive of Prayer is the ſame. *Prayer* is the Gift of God no leſs than the *Bleſſing*, and the Prayer is decreed together in the ſame Decree wherein the Bleſſing is decreed. 'Tis manifeſt that *Thankſgiving* is no Cauſe of the Bleſſing paſt, and that which is paſt is ſure and neceſſary; yet even amongſt Men Thanks is in Uſe as an Acknowledgment of the Benefit paſt, though we ſhould expect no new Benefit for our Gratitude. And Prayer to God Almighty is but Thanſgivings for God's Bleſſings in general; and though it precede the particular Thing we aſk, yet it is not a Cauſe or Means of it, but a Signification that we expect nothing but from God, in ſuch Manner, as he, not as we, will; and our Saviour by Word of Mouth bids us pray, *thy Will* (not our Will) *be done*, and by Example teaches us the ſame, for he prayed thus, *Father, if it be thy Will, let this Cup paſs, &c.* The End of Prayer, as of Thankſgiving, is not to *move* but to *honour* God Almighty, in acknowledging that what we aſk can be effected by him only.

The fourth Argument from Reaſon is this, The Order, Beauty, and Perfection of the World requireth, that in the Univerſe ſhould be Agents of all Sorts; ſome neceſſary, ſome free, ſome contingent. He that ſhall make all things neceſſary, or all things free, or all things contingent, doth overthrow the Beauty and Perfection of the World.

In which Argument I obſerve firſt a *Contradiction*; for ſeeing he that *maketh* any Thing, in that he maketh it, maketh it to be *neceſſary*; it followeth that he that maketh all Things, maketh all Things neceſſarily to be: As if a Workman make a Garment, the Garment muſt neceſſarily be; ſo if God make every Thing, every Thing muſt neceſſarily be. Perhaps the Beauty of the World requireth, (though we know it not) that ſome Agents ſhould work without Deliberation (which his Lordſhip calls *neceſſary* Agents) and ſome Agents with Deliberation, (and thoſe both he and I call *free* Agents) and that ſome Agents ſhould work, and we not know how, (and their Effects we both call *Contingents)*; but this hinders not but that he that electeth may have his *Election* neceſſarily determined to *one* by *former* Cauſes, and that which is *contingent* and imputed to Fortune, be nevertheleſs *neceſſary* and depend on *precedent* neceſſary Cauſes. For by *contingent*, Men do not mean that which hath *no* Cauſe, but that which hath not for Cauſe any thing that we perceive: As for Example, when a Traveller meets with a Shower, the Journey had a Cauſe, and the Rain had a Cauſe ſufficient to produce it; but becauſe the Journey cauſeth not the Rain, nor the Rain the Journey, we ſay they were contingent one to another. And thus you ſee that though there be three Sorts of Events, *neceſſary*, *contingent*, and *free*, yet they may be *all* neceſſary, without Deſtruction of the Beauty or Perfection of the Univerſe.

To the firſt Argument from Reaſon, which is, *that if Liberty be taken away, the Nature and formal Reaſon of Sin is taken away*; I anſwer by denying the Conſequence: The Nature of Sin conſiſteth in this, that the *Action* done proceed from our *Will*, and be againſt the *Law*. A Judge, in judging whether it be Sin or no, which is done againſt the Law, looks at no higher Cauſe of the Action, than the Will of the Doer. Now when I ſay the Action was *neceſſary*, I do not ſay it was done *againſt* the Will of the Doer, but *with* his Will, and *neceſſary*, becauſe Man's Will, that is, every Volition, or Act of the Will and Purpoſe of Man, had a *ſufficient*, and therefore a *neceſſary* Cauſe, and conſequently every *voluntary* Action was *neceſſitated*. An Action therefore may be *voluntary* and a *Sin*, and nevertheleſs be *neceſſary*; and becauſe God may afflict by a Right derived from his *Omnipotence*, though Sin were not, and becauſe the Example of Puniſhment on voluntary Sinners, is the Cauſe that produceth Juſtice, and maketh Sin leſs frequent, for God to puniſh ſuch Sinners (as I have ſaid before) is no Injuſtice. And thus you have my Anſwer to his Lordſhip's Objections, both out of Scripture, and from Reaſon.

Certain Diſtinctions, which his Lordſhip ſuppoſing might be brought to evade his Arguments, are by him removed.

HE ſays a Man may perhaps anſwer, that the *Neceſſity* of Things held by him, is not a *Stoical* Neceſſity, but a *Chriſtian* Neceſſity, *&c.* But this *Diſtinction* I have not uſed, nor indeed ever heard before, nor could I think any Man could make *Stoical* and *Chriſtian* two Kinds of *Neceſſity*, though they may be two Kinds of *Doctrine*. Nor have I drawn my Anſwer to his Lordſhip's Arguments from the Authority of any Sect, but from the Nature of the Things themſelves.

But here I muſt take Notice of certain Words of his Lordſhip's in this Place, as making againſt his own Tenet. *Where all the Cauſes*, ſaith he, *being joined together, and ſubordinate one to another, do make but one total Cauſe, if any one Cauſe (much more the firſt) in the whole Series or Subordination of Cauſes, be neceſſary, it determines the reſt, and without Doubt maketh the Effect neceſſary.* For that which I call the *neceſſary* Cauſe of any Effect, is the *joining* together of all Cauſes ſubordinate to the firſt, into one total Cauſe. *If any of theſe*, ſaith he, *eſpecially the firſt, produce its Effect neceſſarily, then all the reſt* are determined. Now it is manifeſt, that the firſt Cauſe is a neceſſary Cauſe of all the Effects that are next and immediate to it, and therefore by his Lordſhip's own Reaſon all Effects are neceſſary.

Nor is that Diſtinction of Neceſſary in reſpect of the *firſt Cauſe*, and Neceſſary in reſpect of *ſecond Cauſes*, mine; it does (as his Lordſhip well notes) imply a Contradiction. But the Diſtinction of *free* into *free from Compulſion*, and *free from Neceſſitation*, I acknowledge. For to be *free from Compulſion* is to do a Thing ſo as *Terror* be not the Cauſe of his *Will* to do it; for a Man is then only ſaid to be compelled, when Fear makes him willing to it: As when a Man willingly throws his Goods into the Sea to ſave himſelf, or ſubmits to his Enemy for fear of being killed. Thus all Men that do any thing for *Love*, or *Revenge*, or *Luſt*, are *free from Compulſion*, and yet their Actions may be as neceſſary as thoſe that are done by Compulſion; for ſometimes other Paſſions work as forcibly as Fear. But *free from Neceſſitation*, I ſay, no Man can be, and 'tis that which his Lordſhip undertook to diſprove.

This *Diſtinction*, his Lordſhip ſays, uſes to be *fortified* by two Reaſons (but they are not mine.) The firſt, he ſays, is, that it is granted by all Divines, that an *Hypothetical Neceſſity*, or Neceſſity upon Suppoſition, may ſtand with *Liberty*. That you may underſtand this, I will give you an Example of *Hypothetical Neceſſity*. If *I ſhall live*, *I ſhall eat*. This is an *Hypothetical Neceſſity*. Indeed it is a neceſſary Propoſition, that is to ſay, it is neceſſary that that Propoſition ſhould be true whenſoever uttered; but 'tis not the Neceſſity of the Thing, nor is it therefore neceſſary that the Man ſhould live, nor that the Man ſhould eat. I do not uſe to *fortify* my Diſtinctions with ſuch Reaſons, let his Lordſhip confute them how he will, it contents me; but I would have your Lordſhip take Notice hereby, how eaſy and plain a Thing, (but withal falſe) with the grave Uſage of ſuch Terms as *Hypothetical Neceſſity*, and *Neceſſity* upon *Suppoſition*, and ſuch like Terms of Schoolmen, may be obſcured, and made ſeem *profound Learning*.

The ſecond Reaſon that may confirm the Diſtinction of *free from Compulſion*, and *free from Neceſſitation*, he ſays is, that God and good Angels do Good neceſſarily, and yet are more free than we. This Reaſon, though I had no need of, yet I think it ſo far forth good, as it is true that God and good Angels do Good neceſſarily, and yet are free; but becauſe I find not in the Articles of our Faith, nor in the Decrees of our Church, ſet down in what Manner I am to conceive God and good Angels to work by Neceſſity, or in what Senſe they work *freely*, I ſuſpend my Sentence in that Point, and am content that there be a *Freedom from Compulſion*, and yet no *Freedom from Neceſſitation*, as hath been proved, in that a Man may be neceſſitated to ſome Action without Threats and without Fear of Danger. But how my Lord can avoid the conſiſting together of *Freedom* and *Neceſſity*, ſuppoſing God and good Angels are freer than Men, and yet do Good neceſſarily, that we muſt examine: *I confeſs*, ſaith he, *that God and good Angels are more free than we*, *that is*, *intenſively in Degree of Freedom*, *not extenſively in the Latitude of the Object*, *according to a Liberty of Exerciſe not of Specification*.

Again, we have here two Diſtinctions that are no Diſtinctions, but made to ſeem ſo by Terms invented by I know not whom, to cover Ignorance, and blind the Underſtanding of the Reader: For it cannot be conceived that there is any Liberty greater, than for a Man to do what he will. One Heat may be more intenſive than another, but not one Liberty than another; he that can do what he will, hath all Liberty poſſible, and he that cannot hath none at all. Alſo *Liberty* (as his Lordſhip ſays the Schools call it) of *Exerciſe*, which is as I have ſaid before, a Liberty to do or not to do, cannot be without a *Liberty* (which they call) of *Specification*, that is to ſay, a Liberty to do, or not to do, this or that in particular. For how can a Man conceive he hath Liberty to do any Thing, that hath not Liberty to do this or that, or ſomewhat in particular? If a Man be forbidden in Lent to eat this and that, and every other particular Kind of Fleſh, how can he be underſtood to have a Liberty to eat Fleſh, more than he that hath no Licence at all? You may by this again ſee the Vanity of Diſtinctions uſed in the *Schools*, and I do not doubt but that the impoſing of them, by Authority of *Doctors* in the *Church*, hath been a great Cauſe that Men have laboured, though by Sedition and evil Courſes, to ſhake them off; for nothing is more apt to beget Hatred, than the tyrannizing over Men's Reaſon and Underſtanding, eſpecially when it is done, not by the Scriptures, but by the Pretence of Learning, and more Judgment than that of other Men.

In the next Place, his Lordſhip bringeth two Arguments againſt diſtinguiſhing between *free from Compulſion*, and *free from Neceſſitation.*

The firſt is, that *Election* is oppoſite not only to *Coaction* or *Compulſion*, but alſo *Neceſſitation* or Determination to one. This is it he was to prove from the Beginning, and therefore bringeth no new Argument to prove it, and ſo thoſe brought formerly, I have already anſwered. And in this Place I deny again, that Election is oppoſite to either; for when a Man is compelled, for Example, to ſubject himſelf to an Enemy or to die, he hath ſtill Election left him, and a Deliberation to bethink which of the two he can better endure. And he that is led to Priſon by Force, hath Election, and may deliberate whether he will be hall'd and trail'd on the Ground, or make uſe of his own Feet: Likewiſe when there is no *Compulſion*, but the Strength of *Temptation* to do an evil Action, being greater than the Motives to *abſtain*, it neceſſarily determines him to the Doing of it; yet he deliberates while, ſometimes, the Motives to do, ſometimes the Motives to forbear, are working on him, and conſequently he *electeth* which he will. But commonly when we ſee and know the Strength that moves us, we acknowledge *Neceſſity*; but when we ſee not, or mark not the Force that moves us, we then think there is none, and that it is not *Cauſes* but *Liberty* that produceth the Action. Hence it is that they think he does not chuſe this, that of Neceſſity chuſes it; but they might as well ſay, Fire doth not burn, becauſe it burns of Neceſſity.

The ſecond Argument is not ſo much an Argument as a Diſtinction, to ſhew in what Senſe it may be ſaid, that *voluntary* Actions are *neceſſitated*, and in what Senſe not. And therefore his Lordſhip alledgeth, as from the Authority of the *Schools*, (and that which rippeth up the Bottom of the *Queſtion)* that there is a double Act of the *Will:* The one, he ſays, is *Actus imperatus*, an Act done at the Command of the Will, by ſome inferior Faculty of the Soul; as to open or ſhut one's Eyes, and this Act may be compell'd; the other, he ſays, is *Actus elicitus*, an Act allured or drawn forth by Allurement out of the Will, as to *will*, to *chuſe*, to *elect*; this he ſays, cannot be compelled. Wherein (letting paſs that metaphorical Speech of attributing Command and Subjection to the Faculties of the Soul, as if they made a Commonwealth or Family within themſelves, and could ſpeak one to another, which is very improper in ſearching the Truth of a Queſtion) you may obſerve, firſt, that to compel a *voluntary* Act, is nothing elſe but to will it; for it is all one to ſay, my Will commands the Shutting of my Eyes, or the Doing of any other Action; and to ſay, I have the Will to ſhut my Eyes: So *Actus imperatus* here, might as eaſily have been ſaid in *Engliſh* a *voluntary Action*, but that they that invented the Term, underſtood not any thing it ſignified.

Secondly, you may obſerve, that *Actus elicitus* is exemplified by theſe Words, to *will*, to *elect*, to *chuſe*, which are all one, and ſo to will is here made an Act of the Will; and indeed as the Will is a Faculty or Power in a Man's Soul, ſo to will is an Act of it according to that Power; but as it is abſurdly ſaid, that to dance is an Act allured or drawn by fair Means out of the Ability to dance; ſo is it alſo to ſay, that to will is an Act allured or drawn out of the Power to will, which Power is commonly called the Will. Howſoever it be, the Sum of his Lordſhip's Diſtinction is, that a *voluntary* Act may be done by *Compulſion*, that is to ſay, by foul Means; but to will that, or any Act, cannot be but by *Allurement*, or fair Means. Now ſeeing fair Means, Allurements, and Enticements, produce the Action which they do produce, as *neceſſarily* as foul Means and Threatning; it follows, that to *will* may be made as *neceſſary* as any thing that is done by *Compulſion*. So that Diſtinction of *Actus imperatus*, and *Actus elicitus*, are but Words, and of no Effect againſt Neceſſity.

His Lordſhip in the reſt of his Diſcourſe, reckoneth up the Opinion of certain Profeſſions of Men, touching the Cauſes wherein the Neceſſity of Things (which they maintain) conſiſteth. And firſt he ſaith, the *Aſtrologer* deriveth his *Neceſſity* from the *Stars:* Secondly, that the *Phyſician* attributeth it to the *Temper* of the

Body. For my part, I am not of their Opinion, becauſe, neither the Stars alone, nor the Temperature of the Patient alone, is able to produce any Effect, without the Concurrence of all other Agents. For there is hardly any one Action, how caſual ſoever it ſeem, to the cauſing whereof concur not whatſoever is *in Rerum Natura*, which becauſe it is a great Paradox, and depends on many antecedent Speculations, I do not preſs in this Place. Thirdly, he diſputeth againſt the Opinion of them that ſay, *External Objects* preſented to Men of ſuch and ſuch Temperatures, do make their Actions *neceſſary*, and ſays, the Power ſuch Objects have over us, proceeds from our own Fault: but that is nothing to the Purpoſe, if ſuch Fault of ours proceedeth from Cauſes not in our own Power, and therefore that Opinion may hold true for all that Anſwer.

Further he ſays, *Prayer*, *Faſting*, &c. may alter our *Habits*; 'tis true, but when they do ſo, they are *Cauſes* of the contrary *Habit*, and make it *neceſſary*, as the former Habit had been neceſſary, if *Prayer*, *Faſting*, &c. had not been. Beſides, we are not moved or diſpoſed to Prayer or any other Action, but by outward Objects, as pious Company, godly Preachers, or ſomething equivalent. Fourthly, he ſays a reſolved Mind is not eaſily ſurpriſed, as the Mind of *Ulyſſes*, who when others wept, alone wept not; and of the *Philoſopher*, that abſtained from Striking, becauſe he found himſelf angry; and of him that poured out the Water when he was thirſty; and the like. Such Things, I confeſs, have, or may have been done, and do prove only that it was not neceſſary for *Ulyſſes* then to weep, nor for that *Philoſopher* to ſtrike, nor for that other Man to drink; but it does not prove that it was not neceſſary for *Ulyſſes* then to abſtain (as he did) from Weeping, nor for the *Philoſopher* to abſtain (as he did) from Striking, nor for the other Man to forbear Drinking; and yet that was the Thing his Lordſhip ought to have proved. Laſtly, his Lordſhip confeſſes, that the *Diſpoſitions* of Objects may be *dangerous* to *Liberty*, but cannot be *deſtructive*. To which I anſwer, it is impoſſible: for *Liberty* is never in any other Danger than to be loſt; and if it cannot be loſt (which he confeſſes) I may infer it can be in no Danger at all.

The fourth Opinion his Lordſhip rejecteth, is of them that make the Will neceſſarily to follow the laſt Dictate of the Underſtanding; but it ſeems his Lordſhip underſtands that Tenet in another Senſe than I do: for he ſpeaketh as if they that held it, did ſuppoſe Men muſt diſpute the Sequel of every Action they do, great and ſmall, to the leaſt Grain, which is a Thing his Lordſhip (with Reaſon) thinks untrue. But I underſtand it to ſignify, that the *Will* follows the *laſt* Opinion or *Judgment* immediately preceding the *Action*, concerning whether it be good to do it or not, whether he have weighed it long before, or not at all; and that I take to be the Meaning of them that hold it. As for Example, when a Man ſtrikes, his Will to ſtrike follows neceſſarily that Thought he had of the Sequel of his Stroke, immediately before the Lifting up of his Hand. Now if it be underſtood in that Senſe, the *laſt* Dictate of the Underſtanding does *neceſſitate* the *Action*, though not as the whole Cauſe, yet as the laſt Cauſe, as the laſt Feather neceſſitates the Breaking of a Horſe's Back, when there are ſo many laid on before, as there needed but the Addition of one to make the Weight ſufficient.

That which his Lordſhip alledgeth againſt this, is, firſt, out of a *Poet*, who in the Perſon of *Medea* ſays,

> ———*Video meliora, proboque,*
> *Deteriora ſequor.*

But that Saying (as pretty as it is) is not true: for though *Medea* ſaw many Reaſons to forbear killing her Children, yet the laſt Dictate of her Judgment was, that the preſent Revenge on her Huſband outweighed them all, and thereupon the wicked Action *neceſſarily* followed. Then the Story of the *Roman*, who of two Competitors ſaid, one had the better Reaſon, but the other muſt have the Office. This alſo maketh againſt his Lordſhip; for the laſt Dictate of his Judgment that had the beſtowing of the Office, was this, That it was better to take a great Bribe, than reward a great Merit.

Thirdly, he objects that Things nearer the Senſe, move more powerfully than Reaſon; what followeth thence but this, The Senſe of the preſent Good is commonly more immediate to the Action, than the Foreſight of the evil Conſequence to come? Fourthly, whereas his Lordſhip ſays, that do what a Man can, he ſhall ſorrow more for the Death of his Son than for the Sin of his Soul, makes nothing to the laſt Dictate of the Underſtanding; but it argues plainly that Sorrow for Sin is not *voluntary*, and by Conſequence, that *Repentance* proceedeth from *Cauſes*.

The laſt Part of this Diſcourſe containeth his Lordſhip's Opinion about reconciling *Liberty* with the *Preſcience* and *Decrees* of *God*, otherwiſe than ſome *Divines* have done; againſt whom he ſays, he had formerly written a Treatiſe, out of which he repeateth only two Things: One is, *That we ought not to deſert a certain Truth, for not being able to comprehend the certain Manner of it.* And I ſay the ſame; as for Example, that his Lordſhip ought not to deſert this certain Truth, *That there are certain and* neceſſary Cauſes *which make every Man to* will *what he willeth, though he do not* yet conceive in what Manner the *Will* of Man is *cauſed.* And yet I think the Manner of it is not very hard to conceive, ſeeing we ſee daily, that *Praiſe, Diſpraiſe, Reward and Puniſhment, good* and *evil* Sequels of Men's *Actions* retained in *Memory*, do frame and make us to the *Election* of whatſoever it be that we elect, and that the *Memory* of ſuch Tings proceeds from the *Senſes*, and *Senſe* from the Operation of the *Objects* of Senſe (which are external to us, and governed only by God Almighty) and by Conſequence all *Actions*, even of *free* and *voluntary* Agents, are *neceſſary*.

The other Thing that he repeateth, is, that the beſt Way to reconcile *Contingence* and *Liberty* with *Preſcience* and the *Decrees* of *God*, is to ſubject future *Contingencies* to the *Aſpect of God.* The ſame is alſo my Opinion, but contaary to what his Lordſhip all this while laboured to prove. For hitherto he held *Liberty* and *Neceſſity*, that is to ſay, *Liberty* and the *Decrees* of *God*, irreconcileable, unleſs the *Aſpect of God* (which Word appeareth now the firſt Time in this Diſcourſe) ſignify ſomewhat elſe beſides *God's Will* and *Decree*, which I cannot underſtand. But he adds, that we muſt ſubject them, according to that *Preſentiality* which they have in *Eternity*, which he ſays cannot be done by them that conceive *Eternity* to be an *everlaſting Succeſſion*, but only by them that conceive it as an *indiviſible Point*. To which I anſwer, that as ſoon as I can conceive *Eternity* to be an *indiviſible Point*, or any thing, but an *everlaſting Succeſſion*, I will renounce all that I have written on this Subject. I know St. *Thomas Aquinas* calls *Eternity*, *Nunc ſtans*, an *ever-abiding now*; which is eaſy enough to ſay; but tho' I fain would, yet I could never conceive it; they that can are more happy than I. But in the mean time his Lordſhip alloweth all Men to be of my Opinion, ſave only thoſe that can conceive in their Minds a *Nunc ſtans*, which I think are none. I underſtand as little how it can be true his Lordſhip ſays, that *God* is not *juſt*, but *Juſtice* itſelf; not *wiſe*, but *Wiſdom* itſelf; not *eternal, but Eternity* itſelf; nor how he concludes thence, that *Eternity* is a *Point indiviſible*, and not a *Succeſſion*; nor in what Senſe it can be ſaid, that an *infinite Point*, and wherein is no *Succeſſion*, can comprehend all *Time*, though Time be *ſucceſſive*. Theſe Phraſes I find not in the *Scripture*; I wonder therefore what was the Deſign of the *Schoolmen* to bring them up, unleſs they thought a Man could not be a true *Chriſtian*, unleſs his Underſtanding be firſt ſtrangled with ſuch hard Sayings. And thus much for Anſwer to his Lordſhip's Diſcourſe, wherein I think not only his *Squadrons* of *Arguments*, but alſo his *Reſerve* of *Diſtinctions* are defeated. And now your Lordſhip ſhall have my Doctrine concerning the ſame Queſtion, with my *Reaſons* for it, poſitively, and as briefly as I can, without any Terms of *Art*, in plain *Engliſh*.

My Opinion about LIBERTY *and* NECESSITY.

FIRST I conceive, that when it cometh into a Man's Mind to do or not to do ſome certain Action, if he have no Time to *deliberate*, the doing it or abſtaining, *neceſſarily* follow the preſent Thought he hath of the *good* or *evil* Conſequence thereof to himſelf. As for Example, in ſudden *Anger*, the *Action* ſhall follow the Thought of *Revenge*; in ſudden *Fear*, the Thought of *Eſcape*. Alſo when a Man hath Time to *deliberate*, but deliberates not, becauſe never any thing appeared that could make him doubt of the Conſequence, the *Action* follows his Opinion of the *Goodneſs* or *Harm* of it. Theſe Actions I call VOLUNTARY, (my Lord) if I underſtand him aright that calls them SPONTANEOUS. I call them *Voluntary*, becauſe thoſe *Actions* that follow immediately the *laſt* Appetite, are *Voluntary*, and here where is one only Appetite, that one is the laſt. Beſides, I ſee 'tis reaſonable to puniſh a *raſh* Action, which could not be juſtly done by Man to Man, unleſs the ſame were *Voluntary*. For no *Action* of a Man can be ſaid to be without *Deliberation*, though never ſo ſudden, becauſe it is ſuppoſed he had Time to *deliberate* all the precedent Time of his Life, whether he ſhould do that Kind of Action or not. And hence it is, that he that killeth in a ſudden Paſſion of *Anger*, ſhall nevertheleſs be juſtly put to *Death*, becauſe all the Time, wherein he was able to conſider whether to kill were Good or Evil, ſhall be held for one continual *Deliberation*, and conſequently the killing ſhall be judged to proceed from *Election*.

Secondly, I conceive when a Man *deliberates*, whether he ſhall do a Thing or not do it, that he does nothing elſe but conſider whether it be better for himſelf to do it or not to do it. And to *conſider* an Action, is to imagine the *Conſequences* of it both *good* and *evil*. From whence is to be inferred, that *Deliberation* is nothing elſe but *alternate* Imagination of the *good* and *evil* Sequels of an *Action*, or (which is the ſame Thing) alternate *Hope* and *Fear*, or alternate *Appetite* to do or quit the Action of which he *deliberateth*.

Thirdly, I conceive that in all *Deliberations*, that is to ſay, in all alternate *Succeſſion* of contrary *Appetites*, the laſt is that which we call the WILL, and is immediately next before the doing of the Action, or next before the doing of it become impoſſible. All other *Appetites* to do, and to quit, that come upon a Man during his Deliberations, are called *Intentions* and *Inclinations*, but not *Wills*, there being but one Will, which alſo in this Caſe may be called the *laſt* Will, though the *Intentions* change often.

Fourthly, I conceive that thoſe *Actions*, which a Man is ſaid to do upon *Deliberation*, are ſaid to be *voluntary*, and done upon *Choice* and *Election*; ſo that *voluntary* Action, and Action proceeding from *Election*, is the ſame Thing; and that of a *voluntary Agent*, it is all one to ſay, he is *free*, and to ſay, he hath not made an End of *deliberating*.

Fifthly, I conceive *Liberty* to be rightly defined in this Manner; *Liberty is the Abſence of all the Impediments to Action that are not contained in the Nature and intrinſecal Quality of the Agent.* As for Example, the Water is ſaid to deſcend *freely*, or to have *Liberty* to deſcend by the Channel of the River, becauſe there is no Impediment that Way, but not a-croſs, becauſe the Banks are Impediments. And though the Water cannot aſcend, yet Men never ſay it wants the *Liberty* to aſcend, but the *Faculty* or Power, becauſe the Impediment is in the Nature of the Water, and intrinſecal. So alſo we ſay, he that is tied, wants the *Liberty* to go, becauſe the Impediment is not in him, but in his Bands; whereas we ſay not ſo of him that is ſick or lame, becauſe the Impediment is in himſelf.

Sixthly, I conceive that nothing taketh Beginning from *itſelf*, but from the *Action* of ſome other immediate *Agent* without itſelf. And that therefore, when firſt a Man hath an *Appetite* or *Will* to ſomething, to which immediately before he had no Appetite nor Will, the *Cauſe* of his *Will*, is not the *Will* itſelf, but *ſomething* elſe not in his own diſpoſing. So that whereas it is out of Controverſy, that of *voluntary*

tary Actions the *Will* is the *neceſſary* Cauſe, and by this which is ſaid, the *Will* is alſo *cauſed* by other Things whereof it diſpoſeth not, it followeth, that *voluntary* Actions have all of them *neceſſary* Cauſes, and therefore are *neceſſitated*.

Seventhly, I hold that to be a *ſufficient Cauſe*, to which nothing is wanting that is needful to the producing of the *Effect*. The ſame alſo is a *neceſſary* Cauſe. For if it be poſſible that a *ſufficient* Cauſe ſhall not bring forth the *Effect*, then there wanteth ſomewhat which was needful to the producing of it, and ſo the *Cauſe* was not *ſufficient*; but if it be impoſſible that a *ſufficient* Cauſe ſhould not produce the *Effect*, then is a *ſufficient* Cauſe a *neceſſary* Cauſe (for that is ſaid to produce an Effect *neceſſarily* that cannot but produce it.) Hence it is manifeſt, that whatſoever is produced, is produced *neceſſarily*: for whatſoever is produced hath had a *ſufficient* Cauſe to produce it, or elſe it had not been; and therefore alſo *voluntary* Actions are *neceſſitated*.

Laſtly, that ordinary *Definition* of a *free Agent*, (namely, *That a* free Agent *is that, which, when all things are preſent which are needful to produce the* Effect, *can nevertheleſs not produce it,*) implies a Contradiction, and is Nonſenſe; being as much as to ſay, The Cauſe may be *ſufficient*, that is to ſay, *neceſſary*, and yet the *Effect* ſhall not follow.

My REASONS.

FOR the firſt five Points, wherein it is explicated, 1. What *Spontaneity* is; 2. What *Deliberation* is; 3. What *Will*; *Propenſion*, and *Appetite* are; 4. What a *free Agent* is; 5. What *Liberty* is; there can no other Proof be offered but every Man's own Experience, by Reflection on himſelf, and remembering what he uſeth in his Mind, that is, what he himſelf meaneth when he ſaith an Action is *ſpontaneous*, a Man *deliberates*; ſuch is his *Will*, that *Agent* or that *Action* is *free*. Now he that reflecteth ſo on himſelf, cannot but be ſatisfied, that *Deliberation* is the *Conſideration of the good and evil Sequels of an Action to come*; that by *Spontaneity* is meant *inconſiderate Action* (or elſe nothing is meant by it;) that *Will* is the *laſt Act of our Deliberation*; that a *free Agent* is he *that can do if he will*, and *forbear if he will*; and that *Liberty* is *the Abſence of external Impediments*. But, to thoſe that out of Cuſtom ſpeak not what they conceive, but what they hear, and are not able, or will not take the Pains to conſider what they think when they hear ſuch Words, no Argument can be ſufficient, becauſe *Experience* and *Matter of Fact* is not verified by other Men's Arguments, but by every Man's own *Senſe* and *Memory*. For Example; How can it be proved, that to *love* a Thing, and to think it *good*, is all one, to a Man that doth not mark his own Meaning by thoſe Words? Or how can it be proved that *Eternity* is not *Nunc ſtans* to a Man that ſays thoſe Words by Cuſtom, and never conſiders how he can conceive the Thing in his Mind?

Alſo the ſixth Point, that a Man cannot imagine any thing to begin *without a Cauſe*, can no other Way be made known, but by trying how he can imagine it; but if he try, he ſhall find as much Reaſon (if there be no Cauſe of the thing) to conceive it ſhould begin at one Time as another, that he hath not equal Reaſon to think it ſhould begin at all Times, which is impoſſible; and therefore he muſt think there was ſome ſpecial Cauſe why it began then, rather than ſooner or later; or elſe that it began never, but was *eternal*.

For the ſeventh Point, which is, that all *Events* have *neceſſary* Cauſes, it is there proved, in that they have *ſufficient* Cauſes. Further, let us in this Place alſo ſuppoſe any Event never ſo caſual, as the throwing (for Example) *Ames Ace* upon a Pair of Dice, and ſee, if it muſt not have been *neceſſary* before it was thrown. For ſeeing it was thrown, it had a *Beginning*, and conſequently a *ſufficient* Cauſe to produce it, conſiſting partly in the *Dice*, partly in outward Things, as the Poſture of the Parts of the *Hand*, the Meaſure of *Force* applied by the Caſter, the Poſture of the Parts of the *Table*, and the like. In ſum, there was nothing wanting which was neceſſarily requiſite to the producing of that particular Caſt, and conſequently the Caſt was neceſſarily thrown; for if it had not been thrown, there had wanted ſomewhat requiſite to the throwing of it, and ſo the Cauſe had not been *ſufficient*. In the like manner it may be proved, that every other Accident, how *contingent* ſoever it ſeem, or how *voluntary* ſoever it be, is produced *neceſſarily*, which is that that my Lord Biſhop diſputes againſt. The ſame may be proved alſo in this Manner: Let the Caſe be put, for Example, of the Weather; *'Tis neceſſary that To-morrow it ſhall rain, or not rain.* If therefore it be not *neceſſary* it ſhall rain, it is *neceſſary* it ſhall not rain, otherwiſe there is no Neceſſity that the Propoſition, *It ſhall rain or not rain*, ſhould be true. I know there be ſome that ſay, it may neceſſarily be true, that one of the two ſhall come to paſs, but not, ſingly that it ſhall rain, or that it ſhall not rain, which is as much as to ſay, *one* of them is *neceſſary*, yet neither of them is *neceſſary*; and therefore to ſeem to avoid that Abſurdity, they make a Diſtinction, that neither of them is true *determinatè*, but *indeterminatè*; which Diſtinction either ſignifies no more but this, One of them is true, but we know not which, and ſo the Neceſſity remains, though we know it not; or if the Meaning of the Diſtinction be not that, it hath no Meaning, and that they might as well have ſaid, One of them is true *Titirice*, but neither of them *Tu patulice*.

The laſt Thing, in which alſo conſiſteth the whole Controverſy, namely, that there is no ſuch Thing as an Agent, *which when all Things requiſite to Action are preſent, can nevertheleſs forbear to produce it*; *or* (which is all one) that there is no ſuch Thing as *Freedom from Neceſſity*, is eaſily inferred from that which hath been before alledged. For if it be an *Agent* it can *work*, and if it *work*, there is nothing wanting of what is requiſite to produce the *Action*, and conſequently the Cauſe of the Action is *ſufficient*, and if *ſufficient*, then alſo *neceſſary*, as hath been proved before.

And thus you ſee how the *Inconveniences*, which his Lordſhip objecteth muſt follow upon the holding of *Neceſſity*, are avoided, and the *Neceſſity* itſelf *demonſtratively* proved. To which I could add, if I thought it good *Logic*, the *Inconvenience* of denying *Neceſſity*, as that it deſtroyeth both the *Decrees* and the *Preſcience* of *God Almighty*; for whatſoever *God* hath *purpoſed* to bring to paſs by *Man*, as an Inſtrument, or forſeeth ſhall come to paſs; a Man, if he have *Liberty* (ſuch as his Lordſhip affirmeth) from *Neceſſitation*, might fruſtrate, and make not to come to paſs, and *God* ſhould either not *foreknow* it, and not *decree* it, or he ſhould *foreknow* ſuch Things ſhall be, as ſhall never be, and *decree* that which ſhall never *come to paſs*.

This is all that hath come into my Mind touching this Queſtion ſince I laſt conſidered it. And I humbly beſeech your Lordſhip to communicate it only to my Lord Biſhop. And ſo praying God to proſper your Lordſhip in all your Deſigns, I take Leave, and am,

My moſt Noble and moſt obliged Lord.

Rouen, *Aug.* 20.
1652.

Your moſt humble Servant,

THOMAS HOBBES.

BEHEMOTH:

THE

HISTORY

Of the Cauſes of the

Civil Wars of *England*,

And of the Counſels and Artifices by which they were carried on, from the Year 1640, to the Year 1660.

Bella per Angliacos pluſquam civilia campos,
Juſque datum ſceleri loquimur --------

BEHEMOTH:

OR, THE

EPITOME

OF THE

CIVIL WARS of *ENGLAND*.

PART I.

A. IF in Time, as in Place, there were Degrees of High and Low, I verily believe that the higheſt of Time would be that which paſſed between 1640 and 1660; for he that thence, as from the Devil's Mountain, ſhould have looked upon the World, and obſerved the Actions of Men, eſpecially in *England*, might have had a Proſpect of all kinds of Injuſtice, and all kinds of Folly that the World could afford; and how they were produced by their Hypocriſy and Self-conceit, whereof the one is double Iniquity, and the other double Folly.

B. I ſhould be glad to behold that Proſpect. You that have lived in that Time, and in that Part of your Age, wherein Men uſe to ſee beſt into Good and Evil; I pray you ſet me (that could not ſee ſo well) upon the ſame Mountain by the Relation of the Actions you then ſaw, and of their Cauſes, Pretenſions, Juſtice, Order, Artifice, and Event.

A. In the Year 1640 the Government of *England* was Monarchical, and the King that reigned, *Charles* the Firſt of that Name, holding the Sovereignty, by Right of a Deſcent continued above ſix hundred Years, and from a much longer Deſcent King of *Scotland*, and from the Time of his Anceſtors *Henry* II. King of *Ireland*; a Man that wanted no Virtue, either of Body or Mind, nor endeavour'd any thing more, than to diſcharge his Duty towards God, in the well governing of his Subjects.

B. How could he then miſcarry, having in every County ſo many train'd Soldiers as would (put together) have made an Army of 60000 Men, and divers Magazines of Ammunition in Places fortified?

A. If thoſe Soldiers had been (as they and all other of his Subjects ought to have been) at his Majeſty's Command, the Peace and Happineſs of the three Kingdoms had continued, as it was left by King *James*; but the People were corrupted generally, and diſobedient Perſons eſteemed the beſt Patriots.

B. But ſure there were Men enough, beſides thoſe that were ill affected, to have made an Army ſufficient to have kept the People from uniting into a Body able to oppoſe him.

A. Truly I think, if the King had had Money, he might have had Soldiers enough in *England*; for there were very few of the common People that cared much for either of the Cauſes, but would have taken any Side for Pay and Plunder; but the King's Treaſure was very low, and his Enemies that pretended the People's Eaſe from Taxes, and other ſpecious Things, had the Command of the City of *London*, and of moſt Cities and Corporate Towns in *England*, and of many particular Perſons beſides.

B. But how came the People to be ſo corrupted? and what Kind of People were they that did ſo ſeduce them?

A. The Seducers were of divers Sorts. One Sort were Miniſters, Miniſters (as they called themſelves) of Chriſt; and ſometimes in their Sermons to the People, God's Ambaſſadors, pretending to have a Right from God to govern every one his Pariſh, and their Aſſembly the whole Nation.

Secondly, there were a very great Number, though not comparable to the other, which notwithſtanding that the Pope's Power in *England*, both Temporal and Eccleſiaſtical, had been by Act of Parliament aboliſhed, did ſtill retain a Belief, that we ought to be governed by the Pope, whom they pretended to be the Vicar of Chriſt, and in the Right of Chriſt to be the Governor of all Chriſtian People; and theſe were known by the Name of Papiſts, as the Miniſters I mentioned before were commonly called Preſbyterians.

Thirdly, There were not a few, who in the Beginning of the Troubles were not diſcovered, but ſhortly after declared themſelves for a Liberty in Religion, and thoſe of different Opinions one from another; ſome of them (becauſe they would have all Congregations free and independent upon one another) were called Independents: Others that held Baptiſm to Infants, and ſuch as underſtood not into what they are baptized, to be ineffectual, were called therefore Anabaptiſts: Others that held that Chriſt's Kingdom was at this Time to begin upon the Earth, were called Fifth-monarchy Men; beſides divers other Sects, as Quakers, Adamites, *&c.* whoſe Names and peculiar Doctrines I do not well remember; and theſe were the Enemies which aroſe againſt his Majeſty from the private Interpretation of the Scripture, expoſed to every Man's ſcanning in his Mother-Tongue.

Fourthly, There were an exceeding great Number of Men of the better Sort, that had been ſo educated, as that in their Youth, having read the Books written by famous Men of the antient *Grecian* and *Roman* Commonwealths, concerning their Polity and great Actions; in which Books the popular Government was extolled by the glorious Name of Liberty, and Monarchy diſgraced by the Name of Tyranny, they became thereby in Love with their Forms of Government; and out of theſe Men were choſen the greateſt Part of the Houſe of Commons; or if they were not the greateſt Part, yet by Advantage of their Eloquence, they were always able to ſway the reſt.

Fifthly, the City of *London*, and other great Towns of Trade, having in Admiration the Proſperity of the *Low-Countries*, after they had revolted from their Monarch the King of *Spain*, were inclined to think, that the like Change of Government here, would to them produce the like Proſperity.

Sixthly, There were a very great Number that had either waſted their Fortunes, or thought them too mean for the good Parts they thought were in themſelves; and more there were that had able Bodies, but ſaw no Means how honeſtly to get their Bread: Theſe longed for a War, and hoped to maintain themſelves hereafter by the lucky chuſing of a Party to ſide with, and conſequently did, for the moſt part, ſerve under them that had greateſt Plenty of Money.

Laſtly, The People in general were ſo ignorant of their Duty, as that not one perhaps of ten thouſand knew what Right any Man had to command him, or what Neceſſity there was of King or Commonwealth, for which he was to part with his Money againſt his Will; but thought himſelf to be ſo much Maſter of whatſoever he poſſeſſed, that it could not be taken from him upon any Pretence of common Safety without his own Conſent. King they thought was but a Title of the higheſt Honour, which Gentleman, Knight, Baron, Earl, Duke, were but Steps to aſcend to, with the Help of Riches; they had no Rule of Equity, but Precedents

and

and Cuſtom, and he was thought wiſeſt and fitteſt to be choſen for a Parliament, that was moſt averſe to the granting of Subſidies, or other public Payments.

B. In ſuch a Conſtitution of People, methinks the King is already outed of his Government, ſo that they need not have taken Arms for it; for I cannot imagine how the King ſhould come by any Means to reſiſt them.

A. There was indeed very great Difficulty in the Buſineſs; but of that Point you will be better inform'd in the Purſuit of this Narration.

B. But I deſire to know firſt the ſeveral Grounds of the Pretences, both of the Pope, and of the Preſbyterians, by which they claim a Right to govern us, as they do, in chief; and after that, from whence, and when crept in the Pretences of that long Parliament for a Democracy.

A. As for the Papiſts, they challenge this Right from a Text in *Deut.* xvii. and other like Texts, according to the old *Latin* Tranſlation in theſe Words: *And he that out of Pride ſhall refuſe to obey the Commandment of that Prieſt, which ſhall at that Time miniſter before the Lord thy God; that Man ſhall, by the Sentence of the Judge, be put to Death.* And becauſe, as the *Jews* were the People of God then, ſo is all *Chriſtendom* the People of God now; they infer from thence, that the Pope, whom they pretend to be the High Prieſt of all Chriſtian People, ought alſo to be obey'd in all her Decrees, by all Chriſtians, upon Pain of Death. Again, whereas in the New Teſtament Chriſt ſaith, *All Power is given unto me in Heaven and in Earth; go therefore and teach all Nations, and baptize them in the Name of the Father, and of the Son, and of the Holy Ghoſt, and teach them to obſerve all theſe Things that I have commanded you.* From thence they infer, that the Command of the Apoſtles was to be obey'd, and by Conſequence the Nations were bound to be govern'd by them, and eſpecially by the Prince of the Apoſtles St. *Peter*, and by his Succeſſors the Popes of *Rome*.

B. For the Text in the Old Teſtament, I do not ſee how the Commandment of God to the *Jews* to obey their Prieſts, can be interpreted to have the like Force in the Caſe of other Nations Chriſtian, more than upon Nations Unchriſtian; for all the World are God's People; unleſs we alſo grant, that a King cannot of an Infidel be made Chriſtian, without making himſelf ſubject to the Laws of that Apoſtle, or Prieſt, or Miniſter that ſhall convert him. The *Jews* were a peculiar People of God, a ſacerdotal Kingdom, and bound to no other Law, but what firſt *Moſes*, and afterwards every High Prieſt did go and receive immediately from the Mouth of God in Mount *Sinai*, in the Tabernacle of the Ark, and in the *Sanctum Sanctorum* of the Temple. And for the Text in St. *Matthew*, I know the Words of the Goſpel are not *Go teach*, but *Go and make Diſciples*; and that there is a great Difference between a Subject and a Diſciple, and between Teaching and Commanding. And if ſuch Texts as theſe muſt be ſo interpreted, why do not Chriſtian Kings lay down their Titles of Majeſty and Sovereignty, and call themſelves the Pope's Lieutenants? But the Doctors of the *Roman* Church ſeem to decline that Title of Abſolute Power, in their Diſtinction of Power Spiritual and Temporal; but this Diſtinction I do not very well underſtand.

A. By ſpiritual Power they mean the Power to determine Points of Faith, and to be Judges in the inner Court of Conſcience, of moral Duties, and of a Power to puniſh thoſe Men that obey not their Precepts by Eccleſiaſtical Cenſure, that is, by Excommunication: and this Power, they ſay, the Pope hath immediately from Chriſt, without Dependence upon any King, or Sovereign Aſſembly, whoſe Subjects they be that ſtand excommunicate. But for the Power Temporal, which conſiſts in judging and puniſhing thoſe Actions that are done againſt the Civil Laws, they ſay, they do not pretend to it directly, that is to ſay, ſo far forth as ſuch Actions tend to the Hindrance or Advancement of Religion and good Manners, which they mean when they ſay, *in ordine ad ſpiritualia*.

B. What Power then is left to Kings, and other Civil Sovereigns, which the Pope may not pretend to be his *in ordine ad ſpiritualia*?

A. None, or very little: and this Power the Pope pretends to in all Chriſtendom, but ſome of his Biſhops alſo in their ſeveral Dioceſes, *Jure Divino*, that is, immediately from Chriſt, without deriving it from the Pope.

B. But what if a Man refuſe Obedience to this pretended Power of the Pope and his Biſhops? What Harm can Excommunication do him, eſpecially if he be the Subject of another Sovereign?

A. Very great Harm; for by the Pope's or Biſhop's Signification of it to the Civil Power, he ſhall be puniſhed ſufficiently.

B. He was in an ill Caſe then, that adventured to write, or ſpeak in defence of the Civil Power, that muſt be puniſhed by him, whoſe Rights he defended; like *Uzza* that was ſlain, becauſe he would needs, unbidden, put forth his Hand to keep the Ark from falling. But what if a whole Nation ſhould revolt from the Pope at once? What Effect could Excommunication have upon the Nation?

A. Why, they ſhould have no more Maſs ſaid, at leaſt by any of the Pope's Prieſts: Beſides, the Pope ſhould have no more to do with them, but caſt them off, and ſo they would be in the ſame Caſe, as if a Nation ſhould be caſt off by their King, and left to be governed by themſelves, or whom they would.

B. This would not be taken ſo much for a Puniſhment to the People, as to the King; and therefore when a Pope excommunicates a whole Nation, methinks he rather excommunicates himſelf, than them. But I pray you tell me, what were the Rights that the Pope pretended to in the Kingdoms of others Princes?

A. Firſt, An Exemption of all Prieſts, Friars and Monks, in Criminal Cauſes, from the Cognizance of Civil Judges. Secondly, Collation of Benefices, on whom he pleaſed, Native or Stranger, and Exaction of Tenths, Firſt-fruits, and other Payments. Thirdly, Appeals to *Rome* in all Cauſes where the Church could pretend to be concerned. Fourthly, To be the ſupreme Judge, concerning Lawfulneſs of Marriage, (*i. e.* concerning the Hereditary Succeſſion of Kings) and to have the Cognizance of all Cauſes concerning Adultery and Fornication.

B. Good! A Monopoly of Women.

A. Fifthly, A Power of abſolving Subjects of their Duties, and of their Oaths of Fidelity to their lawful Sovereigns, when the Pope ſhould think fit, for the Extirpation of Hereſy.

B. This Power of abſolving Subjects of their Obedience, as alſo that other of being Judge of Manners and Doctrine, is as abſolute a Sovereignty as is poſſible to be, and conſequently there muſt be two Kingdoms in one and the ſame Nation, and no Man be able to know which of his Maſters he muſt obey.

A. For my Part I ſhall rather obey that Maſter that had the Right of making Laws, and of inflicting Puniſhments, than him that pretendeth only to a Right of making Canons, that is to ſay, Rules, and no Right of Co-action, or otherwiſe puniſhing, but by Excommunication.

B. But the Pope pretends alſo that his Canons are Laws; and for puniſhing, can there be greater than Excommunication; ſuppoſing it true (as the Pope ſaith it is) that he that dies Excommunicate is damned? Which Suppoſition, it ſeems, you believe not, elſe you would rather have choſen to obey the Pope, that would caſt you Body and Soul into Hell, than the King that can only kill the Body.

A. You ſay true; for it were very uncharitable in me to believe, that all *Engliſhmen* (except a few Papiſts) that have been born and called Heretics, ever ſince the Reformation of Religion in *England*, ſhould be damned.

B. But thoſe that die Excommunicate in the Church of *England*, at this Day, do you not think them alſo damned?

A. Doubtleſs he that dies in Sin without Repentance, is damned, and he that is Excommunicate for Diſobedience to the King's Laws, either Spiritual or Temporal, is Excommunicate for Sin; and therefore, if he die Excommunicate and without Deſire of Reconciliation, he dies impenitent. You ſee what follows; but to die in Diſobedience to the Precepts and Doctrines of thoſe Men that have no

Authority or Juriſdiction over us is quite another Caſe, and bringeth no ſuch Danger with it.

B. But what is this Hereſy which the Church of *Rome* ſo cruelly perſecutes, as to depoſe Kings that do not, when they are bidden, turn all Heretics out of their Dominions?

A. Hereſy is a Word, which when it is uſed without Paſſion, ſignifies a private Opinion: So the different Sects of the old Philoſophers, Academians, Peripatetics, Epicureans, Stoics, *&c.* were called Hereſies: but in the Chriſtian Church there was in the Signification of that Word comprehended a ſinful Oppoſition to him that was chief Judge of Doctrines, in order to the Salvation of Mens Souls; and conſequently Hereſy may be ſaid to bear the ſame Relation to the Power Spiritual, that Rebellion doth to the Power Temporal, and is ſuitably to be perſecuted by him that will preſerve a Power Spiritual and Dominion over Mens Conſciences.

B. It would be very well (becauſe we are all of us permitted to read the Holy Scriptures, and bound to make them the Rule of our Actions, both public and private) that Hereſy were by ſome Law defined, and the particular Opinions ſet forth, for which a Man were to be condemned and puniſhed as a Heretic; for elſe, not only Men of mean Capacity, but even the wiſeſt and devouteſt Chriſtian may fall into Hereſy without any Will to oppoſe the Church; for the Scriptures are hard, and the Interpretations different of different Men.

A. The Meaning of the Word Hereſy is by Law declared in an Act of Parliament in the firſt Year of Queen *Elizabeth*, wherein it is ordained, That the Perſons who had by the Queen's Letters Patents the Authority Spiritual (meaning the High Commiſſion) ſhall not have the Authority to adjudge any Matter or Cauſe to be Hereſy, but only ſuch as heretofore have been adjudged to be Hereſy by the Authority of the Canonical Scriptures, or by the firſt four General Councils, or by any other General Council, where the ſame was declared Hereſy by the expreſs and plain Words of the ſaid Canonical Scriptures, or ſuch as hereafter ſhall be adjudged Hereſy by the High Court of Parliament of this Realm, with the Aſſent of the Clergy in their Convocation.

B. It ſeems therefore if there ariſe any new Error that hath not yet been declared Hereſy, (and many ſuch may ariſe) it cannot be judged Hereſy without a Parliament; for how foul ſoever the Error be, it cannot have been declared Hereſy, neither in the Scriptures, nor in the Councils, becauſe it was never before heard of, and conſequently there can be no Error (unleſs it fall within the Compaſs of Blaſphemy againſt God, or Treaſon againſt the King) for which a Man can in Equity be puniſhed. Beſides, who can tell what is declared by the Scripture, which every Man is allowed to read and interpret to himſelf? Nay, more, what Proteſtant, either of the Laity or Clergy, (if every General Council can be a competent Judge of Hereſy) is not already condemned? for divers Councils have declared a great many of our Doctrines to be Hereſy, and that (as they pretend) upon the Authority of the Scriptures.

A. What are thoſe Points that the firſt four General Councils have declared Hereſy?

B. The firſt General Council held at *Nice* declared all to be Hereſy, which was contrary to the *Nicene* Creed, upon occaſion of the Hereſy of *Arius*, which was the denying the Divinity of Chriſt. The ſecond General Council held at *Conſtantinople*, declared Hereſy the Doctrine of *Macedonius*; which was, that the Holy Ghoſt was created. The third Council aſſembled at *Epheſus*, condemned the Doctrine of *Neſtorius*, that there were two Perſons in Chriſt. The fourth held at *Chalcedon*, condemned the Error of *Eutyches*, that there was but one Nature in Chriſt. I know of no other Points condemned in theſe four Councils, but ſuch as concern Church Government, or the ſame Doctrines taught by other Men in other Words: and theſe Councils were all called by the Emperors,

perors, and by them their Decrees confirmed, at the Petition of the Councils themſelves.

A. I ſee by this, that both the calling of the Council, and the Confirmation of their Doctrine and Church Government, had no obligatory Force, but from the Authority of the Emperor. How comes it then to paſs, that they take upon them now a Legiſlative Power, and ſay their Canons are Laws? That Text, *All Power is given to me in Heaven and Earth*, had the ſame Force then as it hath now, and conferred a Legiſlative Power on the Councils, not only over Chriſtian Men, but over all Nations in the World.

B. They ſay no; for the Power they pretend to is derived from this, that when a King was converted from Gentiliſm to Chriſtianity, he did by that very Submiſſion to the Biſhop that converted him, ſubmit to the Biſhop's Government, and became one of his Sheep; which Right therefore he could not have over any Nation that was not Chriſtian.

A. Did *Sylveſter* (who was Pope of *Rome* in the Time of *Conſtantine* the Great who was converted by him) tell the Emperor his new Diſciple beforehand, that if he became a Chriſtian he muſt be the Pope's Subject?

B. I believe not; for it is likely enough, if he had told him ſo plainly, or but made him ſuſpect it, he would either have been no Chriſtian at all, or but a counterfeit one.

A. But, if he did not tell him ſo, and that plainly, it was foul Play, not only in a Prieſt, but in any Chriſtian; and for this Derivation of their Right from the Emperor's Conſent, it proceeds only from this, that they dare not challenge a Legiſlative Power, nor call their Canons Laws in any Kingdom in *Chriſtendom*, farther than the Kings make them ſo. But in *Peru*, when *Atabalipa* was King, the Friar told him, that Chriſt being King of all the World, had given the diſpoſing of all the Kingdoms therein to the Pope, and that the Pope had given *Peru* to the *Roman* Emperor *Charles* V. and required *Atabalipa* to reſign it; and for refuſing it, ſeized upon his Perſon by the *Spaniſh* Army there preſent, and murder'd him; you ſee by this how much they claim, when they have Power to make it good.

B. When began the Popes to take this Authority upon them firſt?

A. After the Inundation of the northern People had overflow'd the weſtern Parts of the Empire, and poſſeſſed themſelves of *Italy*, the People of the City of *Rome* ſubmitted themſelves, as well in Temporals as Spirituals, to their Biſhop; and then firſt was the Pope a Temporal Prince, and ſtood no more in ſo great Fear of the Emperors, who lived far off at *Conſtantinople*. In this Time it was that the Pope began, by Pretence of his Power Spiritual, to encroach upon the Temporal Rights of all other Princes of the Weſt, and ſo continued gaining upon them, till his Power was at the higheſt, in that three hundred Years or thereabout, which paſſed between the eighth and eleventh Century, that is, between the Time of Pope *Leo* III. and Pope *Innocent* III. For in this Time Pope *Zachary* I. depoſed *Chilperic* then King of *France*, and gave the Kingdom to one of his Subjects, *Pepin*; and *Pepin* took from the *Lombards* a great Part of their Territory, and gave it to the Church. Shortly after, the *Lombards* having recover'd their Eſtate, *Charles* the Great retook it, and gave it to the Church again, and Pope *Leo* III. made *Charles* Emperor.

B. But what Right did the Pope then pretend for the creating of an Emperor?

A. He pretended the Right of being Chriſt's Vicar, and what Chriſt could give, his Vicar might give; and you know that Chriſt was King of all the World.

B. Yes, as God; and ſo he gives all the Kingdoms of the World, which nevertheleſs proceed from the Conſent of the People, either for Fear or Hope.

A. But this Gift of the Empire was in a more ſpecial Manner, in ſuch a Manner as *Moſes* had the Government of *Iſrael* given him, or rather as *Joſhua* had it given him, to go in and out before the People, as the High Prieſt ſhould direct him; and ſo the Empire was underſtood to be given him, on Condition to be directed

rected by the Pope; for when the Pope inveſted him with the Regal Ornaments, the People all cry'd out, *Deus dat*, that is to ſay, 'tis God that gives it; and the Emperor was contented ſo to take it. And from that Time all, or moſt of the Chriſtian Kings, do put into their Titles the Words *Dei gratia*, that is, by the Gift of God, and their Succeſſors uſe ſtill to receive the Crown and Scepter from a Biſhop.

B. 'Tis certainly a very good Cuſtom for Kings to be put in mind by whoſe Gift they reign; but it cannot from that Cuſtom be inferr'd, that they receive the Kingdom by Mediation of the Pope, or by any other Clergy: for the Popes themſelves received the Papacy from the Emperor. The firſt that ever was elected Biſhop of *Rome*, after the Emperors were Chriſtians, and without the Emperor's Conſent, excuſed himſelf by Letters to the Emperor with this; That the People and Clergy of *Rome* forced him to take it upon him, and prayed the Emperor to confirm it; which the Emperor did, but with Reprehenſion of their Proceedings, and Prohibition of the like for the Time to come: The Emperor was *Lotharius*, and the Pope *Calixtus* I.

A. You ſee by this the Emperor never acknowledged this Gift of God was the Gift of the Pope, but maintained, the Popedom was the Gift of the Emperor; but in Proceſs of Time, by the Negligence of the Emperors, (for the Greatneſs of Kings makes them that they cannot eaſily deſcend into the obſcure and narrow Mines of an ambitious Clergy) they found Means to make the People believe, there was a Power in the Pope and Clergy, which they ought to ſubmit unto, rather than to the Commands of their own Kings, whenſoever it ſhould come into Controverſy. And to that End deviſed and decreed many new Articles of Faith, to the Diminution of the Authority of Kings, and to the Disjunction of them and their Subjects, and to a cloſer Adherence of their Subjects to the Church of *Rome*. Articles, either not at all found in, or not well founded upon the Scriptures. As firſt; that it ſhould not be lawful for a Prieſt to marry.

B. What Influence could that have upon the Power of Kings?

A. Do you not ſee, that by this the King muſt of neceſſity either want the Prieſthood, and therewith a great Part of the Reverence due to him from the moſt religious part of his Subjects, or elſe want lawful Heirs to ſucceed him: by which Means, being not taken for the Head of the Church, he was ſure in any Controverſy between him and the Pope, that his Subjects would be againſt him.

B. Is not a Chriſtian King as much a Biſhop now, as the Heathen Kings were of old; for among them *Epiſcopus* was a Name common to all Kings? Is not he a Biſhop now, to whom God hath committed the Charge of all the Souls of his Subjects, both of the Laity and the Clergy? And though he be, in relation to our Saviour who is the chief Paſtor, but a Sheep; yet compared to his own Subjects, they are all Sheep, both Laic and Cleric, and he only Shepherd. And ſeeing a Chriſtian Biſhop is but a Chriſtian endued with Power to govern the Clergy, it follows, that every Chriſtian King is not only a Biſhop, but an Archbiſhop, and his whole Dominion his Dioceſe. And though it were granted, that Impoſition of Hands is neceſſary from a Prieſt, yet ſeeing Kings have the Government of the Clergy, that are his Subjects, even before Baptiſm; the Baptiſm itſelf wherein he is received as a Chriſtian, is a ſufficient Impoſition of Hands, ſo that whereas before he was a Biſhop, now he is a Chriſtian Biſhop.

A. For my Part I agree with you: This Prohibition of Marriage to Prieſts came in about the Time of Pope *Gregory* VII. and *William* I. King of *England*; by which Means the Pope had in *England*, what with ſecular, and what with regular Prieſts, a great many luſty Batchelors at his Service. Secondly, That Auricular Confeſſion to a Prieſt was neceſſary to Salvation. 'Tis true, that before that Time, Confeſſion to a Prieſt was uſual, and performed for the moſt part (by him that confeſſed) in Writing; but that Uſe was taken away about the Time of King *Edward* III. and Prieſts commanded to take Confeſſions from the Mouth of the Confitent: and Men did generally believe, that without Confeſſion and Abſolution before their Departure out of the World, they could not be ſaved; and having Abſolution from a Prieſt, that they could not be damned. You underſtand by this, how much every Man would ſtand in awe of the Pope and Clergy, more than they would of the King; and what Inconvenience it is to a State for their Subjects to confeſs their ſecret Thoughts to Spies.

B. Yes, as much as eternal Torture is more terrible than Death; ſo much they would fear the Clergy more than the King.

A. And though perhaps the *Roman* Clergy will not maintain, that a Prieſt hath Power to remit Sins abſolutely, but only with a Condition of Repentance, yet the People were never ſo inſtructed by them; but were left to believe, that whenceſoever they had Abſolution, their precedent Sins were all diſcharged, when their Penance, which they took for Repentance, was performed. Within the ſame Time began the Article of Tranſubſtantiation; for it had been diſputed a long Time before in what manner a Man did eat the Body of our Saviour *Jeſus Chriſt*, as being a Point very difficult for a Man to conceive and imagine clearly; but now it was made very clear, that the Bread was tranſubſtantiated into Chriſt's Body, and ſo was become no more Bread but Fleſh.

B. It ſeems then that Chriſt had many Bodies, and was in as many Places at once, as there were Communicants. I think the Prieſts then were ſo wanton, as to inſult upon the Dulneſs, not only of common People, but alſo of Kings and their Councellors.

A. I am now in a Narration, not in a Diſputation, and therefore I would have you at this time to conſider nothing elſe, but what Effect this Doctrine would work upon Kings and their Subjects, in relation to the Clergy, who only were able of a Piece of Bread to make our Saviour's Body, and thereby at the Hour of Death to ſave their Souls.

B. For my Part, it would have an Effect on me to make me think them Gods, and to ſtand in awe of them, as of God himſelf, if he were viſibly preſent.

A. Beſides theſe and other Articles tending to the upholding of the Pope's Authority, they had many fine Points in their Eccleſiaſtical Polity, conducing to the ſame End; of which I will mention only ſuch as were eſtabliſhed within the ſame Time. For then it was the Order came up of Preaching Friars, that wander'd up and down with Power to preach in what Congregation they pleaſed, and were ſure enough to inſtil into the People nothing that might leſſen their Obedience to the Church of *Rome*; but on the contrary, whatſoever might give Advantage to it againſt the Civil Power. Beſides, they privately inſinuated themſelves with Women and Men of weak Judgment, confirming their Adherence to the Pope, and urging them in the Time of their Sickneſs, to be beneficial to it by Contribution of Money, or building religious Houſes, or pious Works, and neceſſary for the Remiſſion of their Sins.

B. I do not remember that I have read of any Kingdom or State in the World, where Liberty was given to any private Man to call the People together, and make Orations frequently to them, or at all, without firſt making the State acquainted, except only in Chriſtendom. I believe the Heathen Kings foreſaw, that a few ſuch Orators would be able to make a great Sedition. *Moſes* did indeed command to read the Scriptures, and expound them in the Synagogues every Sabbath-day; but the Scriptures then were nothing elſe but the Laws of the Nation delivered unto them by *Moſes* himſelf; and I believe it would do no Hurt, if the Laws of *England* alſo were often read and expounded in the ſeveral Congregations of *Engliſhmen*, at Times appointed, that they may know what to do; for they know already what to believe.

A. I think that neither the preaching of Friars nor Monks, nor of Parochial Prieſts, tended to teach Men what, but whom to believe: for the Power of the Mighty hath no Foundation, but in the Opinion and Belief of the People; and the End which the Pope had in multiplying Sermons, was no other, but to prop and enlarge his own Authority over all Chriſtian Kings and States.

Within the ſame Time, that is, between the Time of the Emperor *Charles* the Great, and of King *Edward* III. of *England*, began their ſecond Polity, which was to bring Religion into an Art, and thereby to maintain all the Decrees of the *Roman* Church by Diſputation; not only from the Scriptures, but alſo from the Philoſophy of *Ariſtotle*, both Moral and Natural; and to that End the Pope exhorted the ſaid Emperor by Letter to erect Schools of all Kinds of Literature, and from thence began the Inſtitution of Univerſities; for not long after the Univerſities began in *Paris* and in *Oxford*. It is true, that there were Schools in *England* before that Time, in ſeveral Places, for the Inſtruction of Children in the *Latin* Tongue, that is to ſay, in the Tongue of the Church; but for an Univerſity of Learning, there was none erected till that Time; though it be not unlikely there might be then ſome that taught Philoſophy, Logic, and other Arts in divers Monaſteries, the Monks having little elſe to do, but to ſtudy. After ſome Colleges were built to that Purpoſe, it was not long Time before many more were added to them, by the Devotion of Princes and Biſhops, and other wealthy Men: and the Diſcipline therein was confirmed by the Popes that then were, and Abundance of Scholars ſent thither by their Friends to ſtudy, as to a Place, from whence the Way was open and eaſy to Preferment both in Church and Commonwealth. The Profit the Church of *Rome* expected from them, and in effect received, was the Maintenance of the Pope's Doctrine, and of his Authority over Kings, and their Subjects, by School-Divines, who ſtriving to make good many Points of Faith incomprehenſible, and calling in the Philoſophy of *Ariſtotle* to their Aſſiſtance, wrote great Books of School-Divinity, which no Man elſe, nor they themſelves, were able to underſtand; as any Man may perceive that ſhall conſider the Writings of *Peter Lombard*, or *Scotus*, or of him that wrote Commentaries upon him, or of *Suarez*, or any other School-Divine of later Times; which Kind of Learning nevertheleſs hath been much admired by two Sorts of Men, otherwiſe prudent enough; the one of which Sorts were of thoſe that were already devoted, and really affectionate to the *Roman* Church: for they believed the Doctrine before, but admired the Arguments becauſe they underſtood them not, and yet found the Concluſions to their Mind. The other Sort were negligent Men, that had rather admire with others, than take the Pains to examine. So that all Sorts of People were fully reſolved, that both the Doctrine was true, and the Pope's Authority no more than what was due to him.

B. I ſee that a Chriſtian King, or State, how well ſoever provided he be of Money and Arms, (where the Church of *Rome* hath ſuch Authority) will have but a hard Match for it, for want of Men: for their Subjects will hardly be drawn into the Field, and fight with Courage againſt their Conſciences.

A. It is true, that great Rebellions have been raiſed by Churchmen in the Pope's Quarrel againſt Kings, as in *England* againſt King *John*, and in *France* againſt King *Henry* IV. wherein the Kings had a more conſiderable Part on their Sides, than the Pope had on his, and ſhall always have ſo, if they have Money; for there are but few whoſe Conſciences are ſo tender as to refuſe Money when they want it: but the great Miſchief done to Kings upon Pretence of Religion is, when the Pope gives Power to one King to invade another.

B. I wonder how King *Henry* VIII. could then ſo utterly extinguiſh the Authority of the Pope in *England*, and that without any Rebellion at home, or any Invaſion from abroad.

A. Firſt, the Prieſts, Monks and Friars, being in the Height of their Power, were now for the moſt part grown inſolent and licentious, and thereby the Force of their Arguments was now taken away by the Scandal of their Lives, which the Gentry and Men of good Education eaſily perceived; and the Parliament conſiſting of ſuch Perſons, were therefore willing to take away their Power; and generally the common People, which from a long Cuſtom had been in love with Parliaments, were not diſpleaſed therewith. Secondly, the Doctrine of *Luther* beginning a little before, was now by a great many Men of the greateſt Judgments ſo well received, as that there was no Hope to reſtore the Pope to his Power by Rebellion. Thirdly, the Revenue of Abbies, and all other religious Houſes, falling hereby into the King's Hands, and by him being diſpoſed of to the moſt eminent Gentlemen in every County, could not but make them do their beſt to confirm themſelves in the Poſſeſſion of them. Fourthly, King *Henry* was of a Nature quick and ſevere in the puniſhing of ſuch as ſhould be the firſt to oppoſe his Deſigns. Laſtly, (as to Invaſion from abroad) in Caſe the Pope had given the Kingdom to another Prince, it had been in vain; for *England* is another Manner of Kingdom than *Navarre*. Beſides, the *French* and *Spaniſh* Forces were employed at that Time one againſt another: and though they had been at Leiſure, they would have found perhaps no better Succeſs, than the *Spaniards* found afterwards in 1588. Nevertheleſs, notwithſtanding the Inſolence, Avarice and Hypocriſy of the then Clergy, and notwithſtanding the Doctrine of *Luther*, if the Pope had not provoked the King by endeavouring to croſs his Marriage with his ſecond Wife, his Authority might have remained in *England*, till there had riſen ſome other Quarrel.

B. Did not the Biſhops that then were, and had taken an Oath, wherein was, amongſt other Things, that they ſhould defend and maintain the Regal Rights of St. *Peter*; the Words are, *Regalia Sancti Petri*, which nevertheleſs ſome have ſaid are *Regulas Sancti Petri*, that is to ſay, St. *Peter*'s Rules or Doctrine; and that the Clergy afterward did read it, (being perhaps written in Short-hand) by a Miſtake to the Pope's Advantage, *Regalia*: Did not, I ſay, the Biſhops oppoſe that Act of Parliament againſt the Pope, and againſt the taking of the Oath of Supremacy?

A. No, I do not find the Biſhops did many of them oppoſe the King; for having no Power without him, it had been great Imprudence to provoke his Anger. There was beſides a Controverſy in thoſe Times between the Pope and the Biſhops, moſt of which did maintain, that they exerciſed their Juriſdiction Epiſcopal in the Right of God, as immediately as the Pope himſelf did exerciſe the ſame over the whole Church. And becauſe they ſaw that by this Act of the King in Parliament they were to hold their Power no more of the Pope, and never thought of holding it of the King, they were perhaps better content to let that Act of Parliament paſs. In the Reign of King *Edward* VI. the Doctrine of *Luther* had taken ſo great Root in *England*, that they threw out alſo a great many of the Pope's new Articles of Faith; which Queen *Mary* ſucceeding him reſtored again, together with all that had been aboliſhed by *Henry* VIII. ſaving (that which could not be reſtored) the religious Houſes; and the Biſhops and Clergy of King *Edward* were partly burnt for Heretics, partly fled, and partly recanted: and they that fled betook themſelves to thoſe Places beyond Sea, where the reformed Religion was either protected, or not perſecuted; who after the Deceaſe of Queen *Mary* returned again to Favour and Preferment under Queen *Elizabeth*, that reſtored the Religion of her Brother King *Edward*: And ſo it hath continued till this Day, excepting the Interruption made in this late Rebellion of the Preſbyterians and other Democratical Men. But though the *Romiſh* Religion were now caſt out by the Law, yet there were Abundance of People, and many of them of the Nobility, that ſtill retained the Religion of their Anceſtors, who as they were not much moleſted in Points of Conſcience, ſo they were not by their own Inclination very troubleſome to the Civil Government; but by the ſecret Practice of the Jeſuits and other Emiſſaries of the *Roman* Church, they were made leſs quiet, than they ought to have been; and ſome of them to venture upon the moſt horrid Act that ever had been heard of before: I mean the Gunpowder-Treaſon. And upon that Account, the Papiſts of *England* have been looked upon as Men that would not be ſorry for any Diſorders here, that might poſſibly make way to the reſtoring of the Pope's Authority; and therefore I named them for one of the Diſtempers of the State of *England*, in the Time of our late King *Charles*.

B. I ſee that *Monſieur du Pleſſis*, and Dr. *Morton*, Biſhop of *Durham*, writing of the Progreſs of the Pope's Power, and intituling their Books, one of them, *The Myſtery of Iniquity*; the other, *The Grand Impoſture*, were both in the right: for I believe there was never ſuch another Cheat in the World; and I wonder that the Kings and States of *Chriſtendom* never perceived it.

A. It is manifeſt they did perceive it. How elſe durſt they make War againſt the Pope, and ſome of them take him out of *Rome* itſelf, and carry him away Priſoner? But if they would have freed themſelves from his Tyranny, they ſhould have agreed together, and made themſelves every one (as *Henry* VIII. did) Head of the Church within their own reſpective Dominions; but not agreeing, they let his Power continue, every one hoping to make Uſe of it, when there ſhould be Cauſe, againſt his Neighbour.

B. Now, as to that other Diſtemper by Preſbyterians, how came their Power to be ſo great, being of themſelves, for the moſt part, but ſo many poor Scholars?

A. This Controverſy between the Papiſts and the Reformed Churches, could not chuſe but make every Man, to the beſt of his Power, examine by the Scriptures which of them was in the right; and to that End they were tranſlated into vulgar Tongues, whereas before the Tranſlation of them was not allowed, nor any Man to read them, but ſuch as had expreſs Licence ſo to do: for the Pope did concerning the Scriptures the ſame that *Moſes* did concerning Mount *Sinai*: *Moſes* ſuffered no Man to go up to it to hear God ſpeak, or gaze upon him, but ſuch as he himſelf took with him; and the Pope ſuffered none to ſpeak with God in the Scriptures, that had not ſome part of the Pope's Spirit in him, for which he might be truſted.

B. Certainly *Moſes* did therein very wiſely, and according to God's own Commandment.

A. No Doubt of it, and the Event itſelf hath made it ſince appear ſo: for after the Bible was tranſlated into *Engliſh*, every Man, nay every Boy and Wench, that could read *Engliſh*, thought they ſpoke with God Almighty, and underſtood what he ſaid; and when by a certain Number of Chapters a Day, they had read the Scriptures once or twice over, the Reverence and Obedience due to the Reformed Church here, and to the Biſhops and Paſtors therein, was caſt off, and every Man became a Judge of Religion, and an Interpreter of the Scriptures to himſelf.

B. Did not the Church of *England* intend it ſhould be ſo? What other End could they have in recommending the Bible to me, if they did not mean I ſhould make it the Rule of my Actions? elſe they might have kept it, though open to themſelves, to me ſealed up in *Hebrew*, *Greek*, and *Latin*, and fed me out of it in ſuch Meaſure as had been requiſite for the Salvation of my Soul, and the Church's Peace.

A. I confeſs this Licence of interpreting the Scripture was the Cauſe of ſo many ſeveral Sects as have lain hid, till the Beginning of the late King's Reign, and did then appear to the Diſturbance of the Commonwealth. But to return to the Story; thoſe Perſons who fled for Religion in the Time of Queen *Mary*, reſided, for the moſt part, in Places where the Reformed Religion was profeſſed, and governed by an Aſſembly of Miniſters, who alſo were not a little made Uſe of, for want of better Stateſmen, in Points of Civil Government; which pleaſed ſo much the *Engliſh* and *Scotch* Proteſtants that lived amongſt them, that at their Return they wiſhed there were the ſame Honour and Reverence given to the Miniſtry in their own Countries; in *Scotland*, King *James* being then young, ſoon (with the Help of ſome of the powerful Nobility) they brought it to paſs. Alſo they that returned into *England*, in the Beginning of the Reign of Queen *Elizabeth*, endeavoured the ſame here; but could never effect it, till this laſt Rebellion, nor without the Help of the *Scots*: and it was no ſooner effected, but they were defeated again by the other Sects, which, by the Preaching of the Preſbyterians, and private Interpretation of Scripture, were grown numerous.

B. I know indeed, that in the Beginning of the late War, the Power of the Preſbyterians was ſo very great, that not only the Citizens of *London* were, almoſt all of them, at their Devotion, but alſo the greateſt part of all other Cities and Market-Towns of *England*. But you have not yet told me by what Art and what Degrees they became ſo ſtrong.

A. It was not their own Art alone that did it, but they had the Concurrence of a great many Gentlemen, that did no leſs deſire a popular Government in the Civil State, than theſe Miniſters did in the Church: and as theſe did in the Pulpit draw the People to their Opinions, and to a Diſlike of the Church Government, Canons, and Common-Prayer-Book, ſo did the other make them in Love with Democracy by their Harangues in the Parliament, and by their Diſcourſes and Communication with People in the Country, continually extolling of Liberty, and inveighing againſt Tyranny, leaving the People to collect of themſelves, that this Tyranny was the preſent Government of the State; and as the Preſbyterians brought with them into their Churches their Divinity from the Univerſities, ſo did many of the Gentlemen bring their Politics from thence into the Parliament; but neither of them did this very boldly in the Time of Queen *Elizabeth*. And though it be not likely that all of them did it out of Malice, but many of them out of Error; yet certainly the chief Leaders were ambitious Miniſters and ambitious Gentlemen; the Miniſters envying the Authority of Biſhops, whom they thought leſs learned; and the Gentlemen envying the Privy Council, whom they thought leſs wiſe than themſelves. For 'tis a hard Matter for Men who do all think highly of their own Wits (when they have alſo acquired the Learning of the Univerſity) to be perſuaded, that they want any Ability requiſite for the Government of a Commonwealth, eſpecially having read the glorious Hiſtories, and the ſententious Politics of the ancient popular Governments of the *Greeks* and *Romans*, amongſt whom Kings were hated, and branded with the Name of Tyrants, and popular Government (though no Tyrant was ever ſo cruel as a popular Aſſembly) paſſed by the Name of Liberty. The Preſbyterian Miniſters, in the beginning of the Reign of Queen *Elizabeth*, did not (becauſe they durſt not) publicly preach againſt the Diſcipline of the Church; but not long after (by the Favour perhaps of ſome great Courtier) they went abroad preaching into moſt of the Market-Towns of *England*, as the preaching Friars had formerly done, upon Working-days in the Morning: in which Sermons, thoſe, and others of the ſame Tenets, that had Charge of Souls, both by the Manner and Matter of their Preaching, apply'd themſelves wholly to the winning of the People to a liking of their Doctrines, and good Opinion of their Perſons.

And firſt for the Manner of their Preaching, they ſo framed their Countenance and Geſture at the Entrance into the Pulpit, and their Pronunciation, both in their Prayer and Sermon, and uſed the Scripture Phraſe, whether underſtood by the People or not, as that no Tragedian in the World could have acted the Part of a right godly Man better than theſe did; inſomuch as a Man unacquainted with ſuch Art, could never ſuſpect any ambitious Plot in them, to raiſe Sedition againſt the State, (as they then had deſign'd) or doubt that the Vehemence of their Voice, (for the ſame Words with the uſual Pronunciation had been of little Force) and Forcedneſs of their Geſture and Looks, could ariſe from any think elſe, but Zeal to the Service of God. And by this Art they came into ſuch Credit, that Numbers of Men uſed to go forth of their own Pariſhes and Towns, on Working-days, leaving their Calling, and on *Sundays*, leaving their own Churches, to hear them preach in other places, and to deſpiſe their own, and all other Preachers that acted not ſo well as they: and as for thoſe Miniſters that did not uſually preach, but inſtead of Sermons did read to the People ſuch Homilies as the Church had appointed, they eſteemed and called them Dumb Dogs.

Secondly, For the Matter of their Sermons, becauſe the Anger of the People in the late *Roman* Uſurpation, was then freſh, they ſaw there could be nothing more gracious with them, than to preach againſt ſuch other Points of the *Romiſh* Religion, as the Biſhops had not yet condemned; that ſo receding farther from Popery than they did, they might with Glory to themſelves leave a Suſpicion on the Biſhops, as Men not yet well purged from Idolatry.

Thirdly, Before their Sermons, their Prayer was, or ſeem'd to be *extempore*, which they pretended to be dictated by the Spirit of God within them, and many of the People believed, or ſeemed to believe it: for any Man might ſee, that had Judgment, that they did not take Care beforehand what they ſhould ſay in their Prayers. And from hence came a Diſlike of the Common-Prayer-Book, which is a ſet Form premeditated, that Men might ſee to what they were to ſay *Amen*.

Fourthly, They did never in their Sermons, or but lightly, inveigh againſt the lucrative Vices of Men of Trade or Handicraft; ſuch as are Feigning, Lying, Cozening, Hypocriſy, or other Uncharitableneſs, except want of Charity to their Paſtors and to the faithful; which was a great Eaſe to the generality of Citizens, and the Inhabitants of Market-Towns, and no little Profit to themſelves.

Fifthly, By preaching up an Opinion, that Men were to be aſſured of their Salvation by the Teſtimony of their own private Spirit, meaning the Holy Ghoſt dwelling within them. And from this Opinion, the People that found in themſelves a ſufficient Hatred towards the Papiſts, and an Ability to repeat the Sermons of theſe Men at their coming home, made no Doubt but that they had all that was neceſſary, how fraudulently and ſpightfully ſoever they behaved themſelves to their Neighbours that were not reckoned amongſt the Saints, and ſometimes to thoſe alſo.

Sixthly, They did indeed with great Earneſtneſs and Severity inveigh often againſt two Sins, carnal Luſts and vain Swearing, which without queſtion was very well done: but the common People were thereby inclined to believe, that nothing elſe was Sin, but that which was forbidden in the third and ſeventh Commandment: for few Men do underſtand by the Name of Luſt, any other Concupicence than that which is forbidden in the ſeventh Commandment; for Men are not ordinarily ſaid to luſt after another Man's Cattle, or other Goods, or Poſſeſſions, and therefore never made much Scruple of the Acts of Fraud and Malice, but endeavoured to keep themſelves from Uncleanneſs only, or at leaſt from the Scandal of it. And whereas they did, both in their Sermons and Writings, maintain and inculcate, that the very firſt Motions of the Mind, that is to ſay, the Delight Men and Women took in the Sight of one another's Form, though they checked the Proceeding thereof, ſo that it never grew up to be a Deſign, was nevertheleſs a Sin, they brought young Men into Deſperation, and to think themſelves damned, becauſe they could not (which no Man can, and is contrary to the Conſtitution of Nature) behold a delightful Object without Delight: and by this Means they became Confeſſors to ſuch as were thus troubled in Conſcience, and were obeyed by by them as their ſpiritual Doctors, in all Caſes of Conſcience.

B. Yes, divers of them did preach frequently againſt Oppreſſion.

A. 'Tis true, I had forgot that: but it was before ſuch as were free enough from it, I mean the common People, who would eaſily believe themſelves oppreſſed, but never Oppreſſors. And therefore you may reckon this amongſt their Artifices to make the People believe they were oppreſſed by the King, or perhaps by the Biſhops, or both; and incline the meaner Sort to their Party afterward, when there ſhould be Occaſion. But this was but ſparingly done in the Time of Queen *Elizabeth*, whoſe Fear and Jealouſy they were afraid of. Nor had they as yet any great Power in the Parliament Houſe, whereby to call in queſtion her Prerogative by Petitions of Right, and other Devices, as they did afterwards, when democratical Gentlemen had received them into their Councils, for the Deſign of changing the Government from Monarchical to Popular, which they called Liberty.

B. Who would think that ſuch horrible Deſigns as theſe could ſo eaſily and ſo long remain covered with the Cloak of Godlineſs: for that they were moſt impious Hypocrites is manifeſt enough by the War theſe Proceedings ended in, and by the impious Acts in that War committed. But when began firſt to appear in Parliament the Attempt of popular Government, and by whom?

A. As to the Time of attempting the Change of Government from Monarchical to Democratical, we muſt diſtinguiſh. They did not challenge the Sovereignty in plain Terms, and by that Name, till they had ſlain the King, nor the Rights thereof altogether by particular Heads, till the King was driven from *London* by Tumults, raiſed in that City againſt him, and retired for the Security of his Perſon to *York*, where he had not been many Days, when they ſent unto him nineteen Propoſitions, whereof above a dozen were Demands of ſeveral Powers, eſſential parts of the Power Sovereign. But before that Time they had demanded, ſome of them, (in a Petition, which they called a Petition of Right) which nevertheleſs the King had granted them in a former Parliament, though he deprived himſelf thereby, not only of the Power to levy Money without their Conſent, but alſo of his ordinary Revenue by Cuſtom of Tonnage and Poundage, and of the Liberty to put into Cuſtody ſuch Men as he thought likely to diſturb the Peace, and raiſe Sedition in the Kingdom. As for the Men that did this, 'tis enough to ſay they were the Members of the laſt Parliament, and of ſome other Parliaments in the Beginning of King *Charles*, and the End of King *James*'s Reign; to name them all is not neceſſary, farther than the Story ſhall require. Moſt of them were Members of the Houſe of Commons; ſome few alſo of the Lords; but all ſuch as had a great Opinion of their Sufficiency in Politics, which they thought was not ſufficiently taken Notice of by the King.

B. How could the Parliament, when the King had a great Navy, and a great Number of trained Soldiers, and all the Magazines of Ammunition in his Power, be able to begin the War?

A. The King had theſe Things indeed in his Right, but that ſignifies little; when they that had the Cuſtody of the Navy and Magazines, and with them all the trained Soldiers, and in a Manner all his Subjects, were by the preaching of Preſbyterian Miniſters, and the ſeditious Whiſperings of falſe and ignorant Politicians, made his Enemies: And when the King could have no Money but what the Parliament ſhould give him, which you may be ſure ſhould not be enough to maintain his Regal Power, which they intended to take from him.

And yet I think they would never have adventured into the Field, but for that unlucky Buſineſs of impoſing upon the *Scots* (who were all Preſbyterians) our Book of Common-Prayer; for I believe the *Engliſh* would never have taken well that the Parliament ſhould make War upon the King upon any Provocation, unleſs it were in their own Defence, in caſe the King ſhould firſt make War upon them; and therefore it behoved them to provoke the King, that he might do ſomething that might look like Hoſtility. It happened in the Year 1637, that the King by the Advice, as it is thought, of the Archbiſhop of *Canterbury*, ſent down a Book of Common-Prayer into *Scotland*, not differing in Subſtance from ours, nor much in Words, beſides the putting of the Word Preſbyter for that of Miniſter, commanding it to be uſed (for Conformity to this Kingdom) by the Miniſters there, for an ordinary Form of divine Service: This being read in the Church at *Edinburgh*, cauſed ſuch a Tumult there, that he that read it had much ado to eſcape with his Life, and gave Occaſion to the greateſt Part of the Nobility and others to enter by their own Authority, into a Covenant amongſt themſelves, which impudently they called a Covenant with God, to put down Epiſcopacy, without conſulting with the King; which they preſently did, animated thereto by their own Confidence, or by Aſſurance from ſome of the Democratical *Engliſhmen*, that in former Parliaments had been the greateſt Oppoſers of the King's Intereſt, that the King would not be able to raiſe an Army to chaſtiſe them without calling a Parliament, which would be ſure to favour them: For the Thing which thoſe Democraticals chiefly then aimed at, was to force the King to call a Parliament, which he had not done for ten Years before, as having no Help, but Hindrance to his Deſigns in the Parliaments he had formerly called. However, contrary to their Expectation, by the Help of his better affected Subjects of the Nobility and Gentry, he made a Shift to raiſe a ſufficient Army to have reduced the *Scots* to their former Obedience, if it had proceeded to Battle: and with this Army he marched himſelf into *Scotland*, where the *Scotch* Army was alſo brought into the Field againſt him, as if they meant to fight: but then the *Scots* ſent to the King for Leave to treat by Commiſſioners on both Sides; and the King, willing to avoid the Deſtruction of his own Subjects, condeſcended to it. The Iſſue was Peace, and the King thereupon went to *Edinburgh*, and paſſed an Act of Parliament there to their Satisfaction.

B. Did he not then confirm Epiſcopacy?

A. No, but yielded to the aboliſhing of it: but by this Means the *Engliſh* were croſſed in their Hope of a Parliament; but the ſaid Democraticals, formerly Oppoſers of the King's Intereſt, ceaſed not to endeavour ſtill to put the two Nations into a War; to the end the King might buy the Parliament's Help at no leſs a Price than Sovereignty itſelf.

B. But what was the Cauſe that the Gentry and Nobility of *Scotland* were ſo averſe from the Epiſcopacy? For I can hardly believe that their Conſciences were extraordinarily tender, nor that they were ſo very great Divines, as to know what was the true Church-Diſcipline eſtabliſhed by our Saviour and his Apoſtles; nor yet ſo much in love with their Miniſters, as to be over-ruled by them in the Government either Eccleſiaſtical or Civil; for in their Lives they were juſt as other Men are, Purſuers of their own Intereſts and Preferments, wherein they were not more oppoſed by the Biſhops than by their Preſbyterian Miniſters.

A. Truly I do not know; I cannot enter into other Men's Thoughts farther than I am led by the Conſideration of human Nature in general: But upon this Conſideration I ſee firſt, that Men of ancient Wealth and Nobility are not apt to brook, that poor Scholars ſhould (as they muſt when they are made Biſhops) be their Fellows. Secondly, That from the Emulation of Glory between the Nations, they might be willing to ſee this Nation afflicted by Civil War, and might hope by aiding the Rebels here, to acquire ſome Power over the *Engliſh*, at leaſt ſo far as to eſtabliſh here the Preſbyterian Diſcipline; which was alſo one of the Points they afterwards openly demanded. Laſtly, They might hope for in the War, ſome great Sum of Money, as a Reward of their Aſſiſtance, beſides great Booty, which they afterwards obtained. But whatſoever was the Cauſe of their Hatred to Biſhops, the pulling of them down was not all they aimed at: If it had, (now that Epiſcopacy was aboliſhed by Act of Parliament) they would have reſted ſatisfied, which they did not: for after the King was returned to *London*, the *Engliſh* Preſbyterians and Democraticals, by whoſe Favour they had put down Biſhops in *Scotland*, thought it Reaſon to have the Aſſiſtance of the *Scots*, for the pulling down of Biſhops in *England*. And in order thereunto, they might perhaps deal with the *Scots* ſecretly, to reſt unſatisfied with that Pacification, which they were before contented with. Howſoever it was, not long after the King was returned to *London*, they ſent up to ſome of their Friends at Court a certain Paper, containing (as they pretended) the Articles of the ſaid Pacification, a falſe and ſcandalous Paper, which was by the King's Command burnt (as I have heard) publicly; and ſo both Parts returned to the ſame Condition they were in, when the King went down with his Army.

B. And ſo there was a great deal of Money caſt away to no Purpoſe: But you have not told me who was General of that Army.

A. I told you the King was there in Perſon: He that commanded under him was the Earl of *Arundel*, a Man that wanted not either Valour or Judgment. But to proceed to Battle or to Treaty, was not in his Power, but in the King's.

B. He was a Man of a moſt noble and loyal Family, and whoſe Anceſtors had formerly given a great Overthrow to the *Scots*, in their own Country, and in all likelihood he might have given them the like now, if they had fought.

A. He might indeed: but it had been but a kind of Superſtition to have made him General upon that Account, though many Generals heretofore have been choſen for the good Luck of their Anceſtors on like Occaſions. In the long War between *Athens* and *Sparta*, a General of the *Athenians* by Sea won many Victories againſt the *Spartans*; for which Cauſe, after his Death, they choſe his Son for General with

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ill Succeſs. The *Romans* that conquered *Carthage* by the Valour and Conduct of *Scipio*, when they were to make War again in *Afric* againſt *Cæſar*, choſe another *Scipio* for General, a Man valiant and wiſe enough, but he periſhed in the Employment. And to come home to our own Nation, the Earl of *Eſſex* made a fortunate Expedition to *Cadiz*, but his Son, ſent afterwards to the ſame Place, could no nothing. 'Tis but a fooliſh Superſtition to hope that God has entail'd Succeſs in War upon a Name or Family.

B. After the Pacification broken, what ſucceeded next.

A. The King ſent Duke *Hamilton* with Commiſſion and Inſtructions into *Scotland*, to call a Parliament there, and to uſe all the Means he could otherwiſe; but all was to no Purpoſe: for the *Scots* were now reſolved to raiſe an Army, and to enter into *England*, to deliver, as they pretended, their Grievances to his Majeſty in a Petition; becauſe the King, they ſaid, being in the Hands of evil Counſellors, they could not otherwiſe obtain their Right: but the Truth is, they were animated to it by the Democratical and Preſbyterian *Engliſh*, with a Promiſe of Reward and Hope of Plunder. Some have ſaid, that Duke *Hamilton* alſo did rather encourge them to, than deter them from the Expedition, as hoping by the Diſorder of the two Kingdoms, to bring to paſs that which he had formerly been accuſed to endeavour, to make himſelf King of *Scotland*. But I take this to have been a very uncharitable Cenſure upon ſo little Ground, to judge ſo hardly of a Man, that afterwards loſt his Life in ſeeking to procure the Liberty of the King his Maſter.

This Reſolution of the *Scots* to enter *England* being known, the King wanting Money to raiſe an Army againſt them, was now (as his Enemies here wiſhed) conſtrained to call a Parliament to meet at *Weſtminſter*, the 13th Day of *April* 1640.

B. Methinks a Parliament of *England*, if upon any Occaſion, ſhould furniſh the King with Money now in a War againſt the *Scots*, out of an inveterate Diſaffection to that Nation, that had always anciently taken part with their Enemies the *French*, and which always eſteemed the Glory of *England* for an Abatement of their own.

A. 'Tis indeed commonly ſeen, that neighbour Nations envy one another's Honour, and that the leſs potent bears the greater Malice; but that hinders them not from agreeing in thoſe Things, which their common Ambition leads them to. And therefore the King found not the more, but the leſs Help from this Parliament; and moſt of the Members thereof, in their ordinary Diſcourſes, ſeemed to wonder why the King ſhould make a War upon *Scotland:* and in that Parliament ſometimes called them *Their Brethren the* Scots. But inſtead of taking the King's Buſineſs, which was the raiſing of Money, into their Conſideration, they fell upon the redreſſing of Grievances, and eſpecially ſuch ways of levying Money as in the late Intermiſſion of Parliaments the King had been forced to uſe, ſuch as were Ship-Money, for Knighthood, and ſuch other Vails (as one may call them) of the Regal Office, which Lawyers had found juſtifiable by the ancient Records of the Kingdom. Beſides, they fell upon the Actions of divers Miniſters of State, though done by the King's own Command and Warrant; inſomuch, that before they were to come to the Buſineſs for which they were called, the Money which was neceſſary for this War (if they had given any, as they never meant to do) had come too late. It is true, there was Mention of a Sum of Money to be given the King, by way of Bargain, for relinquiſhing of his Right to Ship-Money, and ſome other of his Prerogatives, but ſo ſeldom, and without determining any Sum, that it was in vain for the King to hope for any Succeſs; and therefore upon the 5th of *May* following he diſſolved it.

B. Where then had the King Money to raiſe and pay his Army?

A. He was forced the ſecond Time to make uſe of the Nobility and Gentry, who contributed, ſome more, ſome leſs, according to the Greatneſs of their Eſtates; but amongſt them all they made up a very ſufficient Army.

B. It ſeems then that the ſame Men that croſſed his Buſineſs in the Parliament, now out of Parliament advanced it all they could. What was the Reaſon of that?

A. The greateſt part of the Lords in Parliament, and of the Gentry throughout *England*, were more affected to Monarchy than to a popular Government, but ſo, as not to endure to hear of the King's abſolute Power, which made them in Time of Parliament eaſily to condeſcend to abridge it, and bring the Government to a mixt Monarchy, as they call'd it, wherein the abſolute Sovereignty ſhould be divided between the King, the Houſe of Lords, and the Houſe of Commons.

B. But how, if they cannot agree?

A. I think they never thought of that; but I am ſure they never meant the Sovereignty ſhould be wholly, either in one or both Houſes. Beſides, they were loth to deſert the King, when he was invaded by Foreigners; for the *Scots* were eſteemed by them as a foreign Nation.

B. It is ſtrange to me, that *England* and *Scotland* being but one Iſland, and their Language almoſt the ſame, and being governed by one King, ſhould be thought Foreigners to one another. The *Romans* were Maſters of many Nations, and to oblige them the more to obey, by the Edicts and Laws ſent unto them from the City of *Rome*, they thought fit to make them all *Romans*; and out of divers Nations, as *Spain*, *Germany*, *Italy*, and *France*, to advance ſome that they thought worthy, even to be Senators of *Rome*, and to give every one of the common People the Privileges of the City of *Rome*, by which they were protected from the Contumelies of other Nations, where they reſided. Why were not the *Scots* and *Engliſh* in like Manner united into one People?

A. King *James*, at his firſt coming to the Crown of *England*, did endeavour it, but could not prevail. But for all that, I believe the *Scots* have now as many Privileges in *England*, as any Nation had in *Rome*, of thoſe which were ſo as you ſay made *Romans*; for they are all naturalized, and have Right to buy Land in *England* to themſelves and their Heirs.

B. It's true of them that were born in *Scotland* after the Time that King *James* was in Poſſeſſion of the Kingdom of *England*.

A. There be very few now that were born before. But why have they a better Right that were born after, than they that were born before?

B. Becauſe they were born Subjects to the King of *England*, and the reſt not.

A. Were not the reſt born Subjects to King *James?* and was not he King of *England?*

B. Yes, but not then.

A. I underſtand not the Subtilty of that Diſtinction. But upon what Law is that Diſtinction grounded? Is there any Statute to that Purpoſe?

B. I cannot tell; I think not: but it is grounded upon Equity.

A. I ſee little Equity in this; that thoſe Nations that are bound to equal Obedience to the ſame King, ſhould not have equal Privileges. And now ſeeing there be ſo very few born before King *James*'s coming in; what greater Privilege had thoſe ingrafted *Romans* by their Naturalization in the State of *Rome*, or in the State of *England* the *Engliſh* themſelves, more than the *Scots*.

B. Thoſe *Romans*, when any of them were in *Rome*, had their Voice in the making of Laws.

A. And the *Scots* have their Parliaments, wherein their Aſſent is required to the Laws there made, which is as good. Have not many of the Provinces of *France* their ſeveral Parliaments and ſeveral Conſtitutions? and yet they are all equally natural Subjects to the King of *France:* and therefore for my part, I think they were miſtaken, both *Engliſh* and *Scots*, in calling one another Foreigners. Howſoever that be, the King had a very ſufficient Army, wherewith he marched towards *Scotland*, and by that time he was come to *York*, the *Scotch* Army was drawn up to the Frontiers, and ready to march into *England*; which alſo they preſently did, giving out all the Way, that their March ſhould be without Damage to the Country, and that their Errand was only to deliver a Petition to the King, for the

Redreſs of many pretended Injuries they had received from ſuch of the Court, whoſe Counſel the King moſt followed; ſo they paſſed through *Northumberland* quietly, till they came to a Ford in the River of *Tine*, a little above *Newcaſtle*, where they found ſome little Oppoſition from a Party of the King's Army ſent thither to ſtop them, whom the *Scots* eaſily maſter'd, and as ſoon as they were over, ſeized upon *Newcaſtle*, and coming farther on, upon the City of *Durham*, and ſent to the King to deſire a Treaty, which was granted, and the Commiſſioners on both Sides met at *Rippon*. The Concluſion was, that all ſhould be referred to the Parliament, which the King ſhould call to meet at *Weſtminſter* on the third of *November* following, being in the ſame Year 1640; and thereupon the King returned to *London*.

B. So the Armies were diſbanded.

A. No; the *Scotch* Army was to be defrayed by the Counties of *Northumberland* and *Durham*, and the King was to pay his own, till the diſbanding of both ſhould be agreed upon in Parliament.

B. So in Effect both the Armies were maintained at the King's Charge, and the whole Controverſy to be decided by a Parliament almoſt wholly Preſbyterian, and as partial to the *Scots* as themſelves could have wiſhed.

A. And yet for all this they durſt not preſently make War upon the King, there was ſo much yet left of Reverence to him in the Hearts of the People, as to have made them odious, if they had declared what they intended: they muſt have ſome Colour or other to make it believed, that the King made War firſt upon the Parliament; and beſides, they had not yet ſufficiently diſgraced him in Sermons and Pamphlets, nor removed from about him thoſe they thought could beſt counſel him. Therefore they reſolved to proceed with him like ſkilful Hunters: firſt to ſingle him out by Men diſpoſed in all parts to drive him into the open Field, and then in Caſe he ſhould but ſeem to turn Head, to call that a making of War againſt the Parliament.

And firſt they called in queſtion ſuch as had either preached or written in Defence of any of thoſe Rights, which belonging to the Crown, they meant to uſurp, and take from the King to themſelves: whereupon ſome few Preachers and Writers were impriſoned, or forced to fly. The King not protecting theſe, they proceeded to call in queſtion ſome of the King's own Actions in his Miniſters, whereof they impriſoned ſome, and ſome went beyond Sea. And whereas certain Perſons having endeavoured by Books and Sermons to raiſe Sedition, and having committed other Crimes of high Nature, had therefore been cenſured by the King's Council in the Star-chamber, and impriſoned; the Parliament, by their own Authority, to try, it ſeems, how the King and People would take it, (for their Perſons were inconſiderable) ordered their ſetting at Liberty: which was accordingly done, with great Applauſe of the People that flocked about them in *London*, in manner of a Triumph. This being done without Reſiſtance, the King's Right to Ship-Money———

B. Ship-Money! What's that?

A. The Kings of *England*, for the Defence of the Sea, had Power to tax all the Counties of *England*, whether they were maritime or not, for the building and furniſhing of Ships; which Tax the King had then lately found Cauſe to impoſe, and the Parliament exclaimed againſt it as an Oppreſſion: and one of their Members that had been taxed but 20 *s.* (mark the Oppreſſion; a Parliament-man of 500 *l.* a Year Land, taxed at 20 *s.*) they were forced to bring it to a Trial at Law, he refuſing Payment, and he was caſt. Again, when all the Judges of *Weſtminſter* were demanded their Opinions concerning the Legality of it, of twelve that there are, it was judged legal by Ten: for which, though they were not puniſhed, yet they were affrighted by the Parliament.

B. What did the Parliament mean, when they did exclaim againſt it as illegal? Did they mean it was againſt Statute-law, or againſt the Judgments of Lawyers given heretofore, which are commonly called Reports; or did they mean it was againſt Equity, which I take to be the ſame with the Law of Nature?

A. It is a hard matter, or rather impoſſible, to know what other Men mean, eſpecially if they be crafty: but ſure I am, Equity was not their Ground for this Pretence of Immunity from contributing to the King, but at their own Pleaſure: for when they have laid the Burthen of defending the whole Kingdom, and governing it, upon any Perſon whatſoever, there is very little Equity he ſhould depend on others for the Means of performing it; for if he do, they are his Sovereign, not he theirs. And as for the Common Law contained in Reports, they have no Force, but what the King gives them. Beſides, it were more unreaſonable, that a corrupt or fooliſh Judge's unjuſt Sentence, ſhould by any Time, how long ſoever, obtain the Authority and Force of a Law. But amongſt the Statute Laws there is one called *Magna Charta*, or the Great Charter of the Liberties of *Engliſhmen*, in which there is one Article, wherein a King heretofore hath granted, That no Man ſhall be diſtrained, that is, have his Goods taken from him, otherwiſe than by the Law of the Land.

B. Is not that a ſufficient Ground for their Purpoſe?

A. No; that leaves us in the ſame Doubt which you think it clears: for where was that Law of the Land then? Did they mean another *Magna Charta*, that was made by ſome King more ancient yet? No; that Statute was made, not to exempt any Man from Payments to the Public, but for ſecuring of every Man from ſuch as abuſed the King's Power by ſurreptitious obtaining the King's Warrants, to the oppreſſing of thoſe againſt whom he had any Suit in Law: but it was conducing to the Ends of ſome rebellious Spirits in this Parliament to have it interpreted in the wrong Senſe, and ſuitable enough to the Underſtanding of the reſt, or moſt part of them, to let it paſs?

B. You make the Members of that Parliament very ſimple Men, and yet the People choſe them for the wiſeſt of the Land.

A. If Craft be Wiſdom, they were wiſe enough; but Wiſe, as I define it, is he that knows how to bring his Buſineſs to paſs (without the Aſſiſtance of Knavery and ignoble Shifts) by the ſole Strength of his good Contrivance: A Fool may win from a better Gameſter by the Advantage of falſe Dice, and packing of Cards.

B. According to your Definition there be few wiſe Men now-a-days; ſuch Wiſdom is a Kind of Gallantry that few are brought up to, and moſt think Folly. Fine Cloaths, Great Feathers, Civility towards Men that will not ſwallow Injuries, and Injury towards them that will, is the preſent Gallantry: but when the Parliament afterwards, having gotten the Power into their Hands, levied Money for their own Uſe; what ſaid the People to that?

A. What elſe, but that it was legal, and to be paid, as being impoſed by Conſent of Parliaments?

B. I have heard often that they ought to pay what was impoſed by Conſent of Parliaments to the Uſe of the King; but to their own Uſe never before. I ſee by this it is eaſier to gull the Multitude, than any one Man amongſt them: for what one Man that has not his natural Judgment depraved by Accident, could be ſo eaſily cozened in a Matter that concerns his Purſe, had he not been paſſionately carried away by the reſt to change Government, or rather to a Liberty of every one to govern himſelf?

A. Judge then what Kind of Men ſuch a Multitude of ignorant People were like to elect for their Burgeſſes and Knights of Shires.

B. I can make no other Judgment, but that they, who were then elected, were juſt ſuch as had been elected for former Parliaments, and as are like to be elected for Parliaments to come: for the common People have been, and always will be ignorant of their Duty to the Public, as never meditating any thing but their particular Intereſt, in other Things following their immediate Leaders, which are either the Preachers, or the moſt potent of the Gentlemen that dwell amongſt them, as common Soldiers for the moſt part follow their immediate Captains, if they like them. If you think the late Miſeries have made them wiſer, that will quickly be forgot, and then we ſhall be no wiſer than we were.

A. Why may not Men be taught their Duty, that is, the Science of juſt and unjuſt, as divers other Sciences have been taught from true Principles and evident Demonſtration? and much more eaſily than any of thoſe Preachers and Democratical Gentlemen could teach Rebellion and Treaſon?

B. But who can teach what none have learned? Or if any Man hath been ſo ſingular, as to have ſtudied the Science of Juſtice and Equity; how can he teach it ſafely, when it is againſt the Intereſt of thoſe, that are in Poſſeſſion of the Power to hurt him?

A. The Rules of juſt and unjuſt ſufficiently demonſtrated, and from Principles evident to the meaneſt Capacity, have not been wanting, and notwithſtanding the Obſcurity of their Author, have ſhined, not only in this, but alſo in foreign Countries, to Men of good Education; but they are few in reſpect of the reſt of Men, whereof many cannot read; many, though they can, have no Leiſure, and of them that have Leiſure, the greateſt Part have their Minds wholly employed and taken up by their private Buſineſſes, or Pleaſures: So that it is impoſſible, that the Multitude ſhould ever learn their Duty, but from the Pulpit and upon Holy-days: but then, and from thence it is, that they learned their Diſobedience. And therefore the Light of that Doctrine has been hitherto covered and kept under here by a Cloud of Adverſaries, which no private Man's Reputation can break through, without the Authority of the Univerſities; but out of the Univerſities came all thoſe Preachers that taught the contrary. The Univerſities have been to this Nation, as the Wooden Horſe was to the *Trojans*.

B. Can you tell me why, and when, the Univerſities here and in other Places firſt began?

A. It ſeems, for the Time, they began in the Reign of the Emperor *Charles* the Great; before which Time, I doubt not but that there were many Grammar Schools for the *Latin* Tongue, which was the natural Language of the *Roman* Church; but for Univerſities, that is to ſay, Schools for the Sciences in general, and eſpecially for Divinity, it is manifeſt, that the Inſtitution of them was recommended by the Pope's Letter to the Emperor *Charles* the Great, and recommended farther by a Council held in his Time, I think, at *Chalon ſur Saone*; and not long after was erected an Univerſity at *Paris*; and the College called *Univerſity-College* at *Oxford*: And ſo by Degrees ſeveral Biſhops, Noblemen and rich Men, and ſome Kings and Queens contributing thereunto, the Univerſities obtained at laſt their preſent Splendor.

B. But what was the Pope's Deſign in it?

A. What other Deſign was he like to have, but what you heard before, the Advancement of his own Authority in the Countries where the Univerſities were erected? There they learned to diſpute for him, and with unintelligible Diſtinctions to blind Men's Eyes, whilſt they incroached upon the Right of Kings; and it was an evident Argument of that Deſign, that they fell in hand with the Work ſo quickly. For the firſt Rector of the Univerſity of *Paris*, as I have read ſomewhere, was *Peter Lombard*, who firſt brought in them the Learning called School-Divinity; and was ſeconded by *John Scot* of *Duns*, who lived in, or near the ſame Time, whom any ingenious Reader, not knowing what was the Deſign, would judge to have been two the moſt egregious Blockheads in the World, ſo obſcure and ſenſeleſs are their Writings. And from theſe the Schoolmen that ſucceeded, learnt the Trick of impoſing what they liſt upon their Readers, and declining the Force of true Reaſon by verbal Forks, I mean Diſtinctions that ſignify nothing, but ſerve only to aſtoniſh the Multitude of ignorant Men. As for the underſtanding Readers, they were ſo few, that theſe new ſublime Doctors cared not what they thought. Theſe Schoolmen were to make good all the Articles of Faith, which the Popes from time to time ſhould command to be believed: amongſt which there were very many inconſiſtent with the Rights of Kings, and other Civil Sovereigns, as aſſerting to the Pope all Authority whatſoever they ſhould declare to be neceſſary, *in ordine ad Spiritualia*, that is to ſay, in order to Religion.

From the Univerſities alſo it was, that all Preachers proceeded, and were poured out into City and Country to terrify the People into an abſolute Obedience to the Pope's Canons and Commands, which for fear of wakening Kings and Princes too much, they durſt not yet call Laws.

From the Univerſities it was, that the Philoſophy of *Ariſtotle* was made an Ingredient to Religion, as ſerving for a Salve to a great many of the abſurd Articles, concerning the Nature of Chriſt's Body, and the Eſtate of Angels and Saints in Heaven; which Articles they thought fit to have believed, becauſe they bring ſome of them Profit, and others, Reverence to the Clergy, even to the meaneſt of them: for when they ſhall have made the People believe that the meaneſt of them can make the Body of Chriſt, who is there that will not both ſhew them Reverence, and be liberal to them, or to the Church, eſpecially in the Time of their Sickneſs, when they think they make and bring unto them their Saviour?

B. But what Advantage to them in theſe Impoſtures was the Doctrine of *Ariſtotle?*

A. They have made more Uſe of his Obſcurity than of his Doctrine: for none of the ancient Philoſophers Writings are comparable to thoſe of *Ariſtotle* for their Aptneſs to puzzle, and entangle Men with Words, and to breed Diſputation, which muſt at laſt be ended in the Determination of the Church of *Rome*; and yet in the Doctrine of *Ariſtotle* they made uſe of many Points; as firſt the Doctrine of ſeparated Eſſences.

B. What are ſeparated Eſſences?

A. Separated Beings.

B. Separated from what?

A. From every thing that is.

B. I cannot underſtand the Being of any thing, which I underſtand not to be: but what can they make of that?

A. Very much in Queſtions concerning the Nature of God, and concerning the Eſtate of Man's Soul after Death, in Heaven, Hell, and Purgatory; by which you, and every Man knows, how great Obedience, and how much Money they gain from the common People. Whereas *Ariſtotle* holdeth the Soul of Man to be the firſt Giver of Motion to the Body, and conſequently to itſelf; they make uſe of that in the Doctrine of Free-will; what, and how they gain by that, I will not ſay.

He holdeth forth, that there be many Things that come to paſs in this World from no Neceſſity of Cauſes, but mere Contingency, Caſualty and Fortune.

B. Methinks in this they make God ſtand idle, and to be a meer Spectator of the Games of Fortune; for what God is the Cauſe of muſt needs come to paſs, and in my Opinion, nothing elſe. But becauſe there muſt be ſome Ground for the Juſtice of the eternal Torment of the Damned; perhaps it is this, that Men's Wills and Propenſions are not (they think) in the Hands of God, but of themſelves; and in this alſo I ſee ſomewhat conducing to the Authority of the Church.

A. This is not much, nor was *Ariſtotle* of ſuch Credit with them, but that when his Opinion was againſt theirs, they could ſlight him. Whatſoever he ſays is impoſſible in Nature, they can prove well enough to be poſſible, from the Almighty Power of God, who can make many Bodies to be in one and the ſelf-ſame Place, and one Body to be in many Places at the ſame Time, if the Doctrine of Tranſubſtantiation require it, though *Ariſtotle* deny it. I like not the Deſign of drawing Religion into an Art, whereas it ought to be a Law; and though not the ſame in all Countries, yet in every Country indiſputable; nor that they teach it not as Arts ought to be taught, by ſhewing firſt the Meaning of their Terms, and then deriving from them the Truth they would have us believe; nor that their Terms are, for the moſt part, unintelligible, though to make it ſeem rather want of Learning in the Reader, than want of fair dealing in themſelves: They are, for the moſt part, *Latin* and *Greek* Words, wry'd a little at the Point, towards the native Language of the ſeveral Countries, where they are uſed: But that which is moſt intolerable is, that all Clerks are forced to make as if they believed them, if they mean to have any Church Preferment, the Keys whereof are in the Pope's Hands; and the Common People, whatſoever they believe of thoſe ſubtle Doctrines, are never eſteemed better Sons of the Church for their Learning. There is but one Way there to Salvation, that is, extraordinary Devotion and Liberality to the Church, and Readineſs for the Church's Sake, if it be required, to fight againſt their natural and lawful Sovereigns.

B. I ſee what Uſe they make of *Ariſtotle*'s Logic, Phyſics, and Metaphyſics; but I ſee not yet how his Politics can ſerve their Turn.

A. Nor I. It has, I think, done them no good, though it has done us here much hurt by Accident: for Men grown weary at laſt of the Inſolence of Prieſts, and examining the Truth of theſe Doctrines that were put upon them, began to ſearch the Senſe of the Scriptures, as they are in the learned Languages, and conſequently ſtudying *Greek* and *Latin*, became acquainted with the democratical Principles of *Ariſtotle* and *Cicero*, and from the Love of their Eloquence, fell in love with their Politics, and that more and more, till it grew into the Rebellion we now talk of, without any other Advantage to the *Roman* Church, but that it was a weakening to us, whom ſince we broke out of their Net, in the Time of *Henry* VIII. they have continually endeavoured to recover.

B. What have they gotten by teaching of *Ariſtotle*'s Ethics?

A. It is ſome Advantage to them, that neither the Morals of *Ariſtotle*, nor of any other, have done them any harm, nor us any good. Their Doctrines have cauſed a great deal of Diſpute concerning Virtue and Vice, but no Knowledge of what they are, nor any Method of obtaining Virtue, nor of avoiding Vice.

The End of moral Philoſophy is to teach Men of all ſorts their Duty, both to the Public and to one another. They eſtimate Virtue, partly by a Mediocrity of the Paſſions of Men, and partly by that they are praiſed; whereas it is not the much or little Praiſe that makes an Action virtuous, but the Cauſe; nor much or little Blame that makes an Action vicious, but its being unconformable to the Laws, in ſuch Men as are ſubject to the Law, or its being unconformable to Equity or Charity in all Men whatſoever.

B. It ſeems you make a Difference between the Ethics of Subjects, and the Ethics of Sovereigns.

A. So I do. The Virtue of a Subject is comprehended wholly in Obedience to the Laws of the Commonwealth. To obey the Law is Juſtice and Equity, which is the Law of Nature, and conſequently is Civil Law in all Nations of the World: and nothing is Injuſtice or Iniquity otherwiſe than it is againſt the Law. Likewiſe to obey the Laws is the Prudence of a Subject; for without ſuch Obedience the Commonwealth (which is every Subject's Safety and Protection) cannot ſubſiſt. And though it be Prudence alſo in private Men, juſtly and moderately to enrich themſelves, yet craftily to with-hold from the Public, or defraud it of ſuch a Part of their Wealth, as is by Law required, is no Sign of Prudence, but of want of Knowledge of what is neceſſary for their own Defence.

The Virtues of Sovereigns are ſuch as tend to the Maintenance of Peace at Home, and to the Reſiſtance of Foreign Enemies. Fortitude is a royal Virtue, and though it be neceſſary in ſuch private Men as ſhall be Soldiers, yet for other Men, the leſs they dare, the better it is, both for the Commonwealth, and for themſelves. Frugality (though perhaps you will think it ſtrange) is alſo a royal Virtue: for it increaſes the Public Stock, which cannot be too great for the Public Uſe, nor any Man too ſparing of what he has in Truſt for the Good of others. Liberality alſo is a royal Virtue: for the Commonwealth cannot be well ſerved without extraordinary Diligence and Service of Miniſters, and great Fidelity to their Sovereigns, who ought therefore to be encouraged, and eſpecially thoſe that do him Service in the Wars. In ſum, all Actions and Habits are to be eſteemed good or evil by their Cauſes and Uſefulneſs, in reference to the Commonwealth, and not by their

Mediocrity, nor by their being commended: for ſeveral Men praiſe ſeveral Cuſtoms, and that which is Virtue with one is blamed by others, and contrarily what one calls Vice, another calls Virtue, as their preſent Affections lead them.

B. Methinks you ſhould have placed amongſt the Virtues that, which in my Opinion, is the greateſt of all Virtues, Religion.

A. So I have, though, it ſeems, you did not obſerve it. But whither do we digreſs from the Way we were in?

B. I think you have not digreſſed at all: for I ſuppoſe your Purpoſe was, to acquaint me with the Hiſtory, not ſo much of thoſe Actions that paſs'd in the Time of the late Troubles, as of their Cauſes, and of the Counſels and Artifice by which they were brought to paſs. There be divers Men that have written the Hiſtory, out of whom I might have learned what they did, and ſomewhat alſo of the Contrivance; but I find little in them of what I would aſk. Therefore ſince you were pleaſed to enter into this Diſcourſe at my Requeſt, be pleaſed alſo to inform me after my own Method: and for the Danger of Confuſion that may ariſe from that, I will take care to bring you back to the Place from whence I drew you; for I well remember where it was.

A. Well then: To your Queſtion concerning Religion; inaſmuch as I told you, that all Virtue is comprehended in Obedience to the Laws of the Commonwealth, whereof Religion is one, I have placed Religion amongſt the Virtues.

B. Is Religion then the Law of a Commonwealth?

A. There is no Nation in the World, whoſe Religion is not eſtabliſhed, and receives not its Authority from the Laws of that Nation. It is true, that the Law of God receives no Evidence from the Laws of Men; but becauſe Men can never by their own Wiſdom come to the Knowledge of what God hath ſpoken and commanded to be obſerved, nor be obliged to obey the Laws, whoſe Author they know not, they are to acquieſce in ſome human Authority or other. So that the Queſtion will be, whether a Man ought in Matter of Religion, that is to ſay, when there is no Queſtion of his Duty to God and the King, to rely upon the Preaching of their Fellow-Subjects, or of a Stranger, or upon the Voice of the Law?

B. There is no great Difficulty in that Point: for there is none that preach here, or any where elſe, at leaſt ought to preach, but ſuch as have Authority ſo to do from him, or them that have the Sovereign Power; ſo that if the King gives us Leave, you or I may as lawfully preach as them that do; and I believe we ſhould perform that Office a great deal better than they that preached us into the Rebellion.

A. The Church Morals are in many Points very different from thoſe that I have here ſet down, for the Doctrine of Virtue and Vice; and yet without any Conformity with that of *Ariſtotle*. For in the Church of *Rome* the principal Virtues are to obey their Doctrine, though it be Treaſon, and that is to be religious: To be beneficial to the Clergy, that is their Piety and Liberality, and to believe upon their Word that which a Man knows in his Conſcience to be falſe, which is the Faith they require. I could name a great many more ſuch Points of their Morals, but that I know you know them already, being ſo well verſed in the Caſes of Conſcience written by their Schoolmen, who meaſure the Goodneſs and Wickedneſs of all Actions, by their Congruity with the Doctrine of the *Roman* Clergy.

B. But what is the Moral Philoſophy of the Proteſtant Clergy in *England*?

A. So much as they ſhew of it in their Life and Converſation is for the moſt part very good, aud of very good Example, much better than their Writings.

B. It happens many times that Men live honeſtly for Fear, who, if they had Power, would live according to their own Opinions; that is, if their Opinions be not right, unrighteouſly.

A. Do the Clergy in *England* pretend as the Pope does, or as the Preſbyterians do, to have a Right from God immediately to govern the King and his Subjects in all Points of Religion and Manners; if they do, you cannot doubt but that if they had Number and Strength, which they are never like to have, they would attempt to obtain that Power, as the others have done.

B. I would be glad to ſee a Syſtem of the preſent Morals written by ſome Divine of good Reputation and Learning, and of the late King's Party.

A. I think I can recommend unto you the beſt that is extant, and ſuch as (except a few Paſſages that I miſlike) is very well worth your reading. The Title of it is, *The whole Duty of Man, laid down in a plain and familiar Way*; and yet I dare ſay, that if the Preſbyterian Miniſters, even thoſe of them which were the moſt diligent Preachers of the late Sedition, were to be tried by it, they would go near to be found not Guilty. He has divided the Duty of Man into three great Branches, which are his Duty to God, to himſelf, and to his Neighbour. In his Duty to God he puts the Acknowledgment of him in his Eſſence and his Attributes, and in the believing of his Word: His Attributes are Omnipotence, Omniſcience, Infiniteneſs, Juſtice, Truth, Mercy, and all the reſt that are found in Scripture. Which of theſe did not thoſe ſeditious Preachers acknowledge equally with the beſt of Chriſtians? The Word of God are the Books of holy Scripture received for Canonical in *England*.

B. They receive the Word of God, but 'tis according to their own Interpretation.

A. According to whoſe Interpretation was it received, by the Biſhops and the reſt of the loyal Party, but their own? He puts for another Duty, Obedience and Submiſſion to God's Will. Did any of them, nay did any Man living, do any thing at any time againſt God's Will?

B. By God's Will I ſuppoſe he means there his revealed Will, that is to ſay, his Commandments, which I am ſure they did moſt horribly break, both by their preaching and otherwiſe.

A. As for Actions, there is no doubt but all Men are guilty enough (if God deal ſeverely with them) to be damned. And for their preaching, they will ſay they thought it agreeable to God's revealed Will in the Scriptures; if they thought it ſo, it was not Diſobedience, but Error; and how can any Man prove they thought otherwiſe?

B. Hypocriſy hath this great Prerogative above other Sins, that it cannot be accuſed.

A. Another Duty he ſets down is, to honour him in his Houſe, that is, the Church, in his Poſſeſſions, in his Day, in his Word and Sacraments.

B. They perform this Duty as well (I think) as any other Miniſters, I mean the loyal Party, and the Preſbyterians have always had an equal Care to have God's Houſe free from Profanation; To have Tithes duly paid, and Offerings accepted; To have the Sabbath-day kept holy, the Word preached, and the Lord's Supper and Baptiſm duly adminiſtered. But is not keeping of the Feaſts and of the Faſts one of thoſe Duties that belong to the Honour of God? If it be, the Preſbyterians fail in that.

A. Why ſo? They kept ſome Holy-days, and they had Faſts amongſt themſelves, though not upon the ſame Days that the Church ordains, but when they thought fit; as when it pleaſed God to give the King any notable Victory; and they governed themſelves in this Point by the holy Scripture, as they pretend to believe; and who can prove they do not believe ſo?

B. Let us paſs over all other Duties, and come to that Duty which we owe to the King, and conſider whether the Doctrine taught by thoſe Divines which adhered to the King be ſuch, in that Point, as may juſtify the Preſbyterians, that incited the People to Rebellion: for that's the Thing you call in Queſtion.

A. Concerning our Duty to our Rulers, he hath theſe Words: An Obedience we muſt pay, either active or paſſive; the active, in caſe of all lawful Commands, that is, whenever the Magiſtrate commands ſomething which is not contrary to ſome Command of God, we are then bound to act according to that Command of the

Magiſtrate, to do the Things he requires: but when he enjoyns any thing contrary to what God hath commanded, we are not then to pay him this active Obedience; we may, nay we muſt refuſe thus to act, (yet here we muſt be very well aſſured, that the thing is ſo contrary, and not pretend Conſcience for a Cloak of Stubbornneſs) we are in that Caſe to obey God, rather than Men: but even this is a Seaſon for the paſſive Obedience, we muſt patiently ſuffer what he inflicts on us for ſuch Refuſal, and not, to ſecure ourſelves, riſe up againſt him.

B. What is there in this to give colour to the late Rebellion.

A. They will ſay they did it in Obedience to God, inaſmuch as they did believe it was according to the Scripture: out of which they will bring Examples perhaps of *David* and his Adherents, that reſiſted King *Saul*, and of the Prophets afterward, that vehemently from time to time preached againſt the idolatrous Kings of *Iſrael* and *Judah*. *Saul* was their lawful King, and yet they paid him neither active nor paſſive Obedience; for they did put themſelves into a poſture of Defence againſt him, though *David* himſelf ſpared his Perſon; and ſo did the Preſbyterians put into their Commiſſions to their General, that they ſhould ſpare the King's Perſon. Beſides, you cannot doubt but that they who in the Pulpit did animate the People to take Arms in defence of the then Parliament, alledged Scripture, that is, the Word of God for it. If it be lawful then for Subjects to reſiſt the King, when he commands any thing that is againſt the Scripture, that is, contrary to the Command of God, and to be Judge of the Meaning of the Scripture, it is impoſſible that the Life of any King, or the Peace of any Chriſtian Kingdom, can be long ſecure. It is this Doctrine that divides a Kingdom within itſelf, whatſoever the Men be, Loyal, or Rebels, that write or preach it publicly. And thus you ſee, that if thoſe ſeditious Miniſters be tried by this Doctrine, they will come off well enough.

B. I ſee it; and wonder at People that having never ſpoken with God Almighty, nor knowing one more than another what he hath ſaid, when the Laws and the Preacher diſagree, ſhould ſo keenly follow the Miniſter, for the moſt part an ignorant, though a ready-tongu'd Scholar, rather than the Laws that were made by the King, with the Conſent of the Peers and the Commons of the Land.

A. Let us examine his Words a little nearer: Firſt, concerning Paſſive Obedience. When a Thief hath broken the Laws, and according to the Law is therefore executed, can any Man underſtand, that this Suffering of his is an Obedience to the Law? Every Law is a Command to do, or to forbear, neither of theſe are fulfilled by ſuffering. If any Suffering can be called Obedience, it muſt be ſuch as is voluntary; for no involuntary Action can be counted a Submiſſion to the Law. He that means that his Suffering ſhould be taken for Obedience, muſt not only not reſiſt, but alſo not fly, nor hide himſelf to avoid his Puniſhment; and who is there amongſt them that diſcourſe of Paſſive Obedience, when his Life is in extreme Danger, that will voluntarily preſent himſelf to the Officers of Juſtice? Do not we ſee that all Men, when they are led to Execution, are both bound and guarded, and would break looſe, if they could, and get away? Such is their Paſſive Obedience. Chriſt ſaith, *The Scribes and Phariſees ſit in* Moſes *Chair: all therefore whatſoever they bid you obſerve, that obſerve and do*, Matt. xxiii. 3. which is a doing an active Obedience: and yet the Scribes and Phariſees appear not by the Scripture to have been ſuch godly Men, as never to command any thing againſt the revealed Will of God.

B. Muſt Tyrants alſo be obeyed in every thing actively? Or is there nothing wherein a lawful King's Command may be diſobeyed? What if he ſhould command me with my own Hands to execute my Father, in caſe he ſhould be condemned to die by the Law?

A. This is a Caſe that need not be put. We never have read, nor heard of any King, or Tyrant, ſo inhuman as to command it. If any did, we are to conſider whether that Command were one of his Laws: for by diſobeying Kings, we mean the diſobeying of his Laws, thoſe his Laws that were made before they were applied to any particular Perſon: for the King, though as a Father of Children,

dren, and a Maſter of domeſtic Servants, yet he commands the People in general never but by a precedent Law, and as a politic, not a natural Perſon. And if ſuch a Command as you ſpeak of were contrived into a general Law, (which never was, nor never will be) you were bound to obey it, unleſs you depart the Kingdom after the Publication of the Law, and before the Condemnation of your Father.

B. Your Author ſays farther, in refuſing Active Obedience to the King that commanded any thing contrary to God's Law, we muſt be very well aſſured that the thing is ſo contrary. I would fain know how it is poſſible to be aſſured?

A. I think you do not believe that any of thoſe Refuſers do, immediately from God's own Mouth, receive any Command contrary to the Command of the King, who is God's Lieutenant, nor any other Way than you and I do; that is to ſay, than by the Scriptures. And becauſe Men do, for the moſt part, rather draw the Scripture to their own Senſe, than follow the true Senſe of the Scripture, there is no other Way to know certainly, and in all Caſes, what God commands, or forbids us to do, but by the Sentence of him or them that are conſtituted by the King to determine the Senſe of the Scripture upon hearing of the particular Caſe of Conſcience, which is in queſtion. And they that are ſo conſtituted are eaſily known in all Chriſtian Commonwealths, whether they be Biſhops, or Miniſters, or Aſſemblies that govern the Church under him, or them, that have the Sovereign Power.

B. Some Doubts may be raiſed from this that you now ſay: for if Men be to learn their Duty from the Sentence which other Men ſhall give, concerning the Meaning of the Scriptures, and not from their own Interpretation; I underſtand not to what End they were tranſlated into *Engliſh*, and every Man, not only permitted, but alſo exhorted to read them. For what could that produce but Diverſity of Opinion, and conſequently (as Man's Nature is) Diſputation, Breach of Charity, Diſobedience, and at laſt Rebellion? Again, ſince the Scripture was allowed to be read in *Engliſh*, why were not the Tranſlations ſuch as might make all that's read underſtood even by mean Capacities? Did not the *Jews*, ſuch as could read, underſtand their Law in the *Jewiſh* Language, as well as we do our Statute Laws in *Engliſh*? And as for ſuch Places of the Scripture, as had nothing of the Nature of a Law, it was nothing to the Duty of the *Jews*, whether they were underſtood or not, ſeeing nothing is puniſhable, but the Tranſgreſſion of ſome Law.

The ſame Queſtion I may aſk concerning the New Teſtament: for I believe, that thoſe Men to whom the original Language was natural, did underſtand ſufficiently what Commands and Counſels were given them by our Saviour and his Apoſtles, and his immediate Diſciples. Again; how will you anſwer that Queſtion which was put by St. *Peter* and St. *John*, *Acts* iv. 19. when by *Annas* the High Prieſt, and others of the Council of *Jeruſalem*, they were forbidden to teach any more in the Name of Jeſus? *Whether is it right in the Sight of God, to hearken unto you more than unto God?*

A. The Caſe is not the ſame. *Peter* and *John* had ſeen, and daily converſed with our Saviour, and by the Miracles he wrought, did know he was God, and conſequently knew certainly, that their Diſobedience to the High Prieſt's preſent Command was juſt. Can any Miniſter now ſay, that he hath immediately, from God's own Mouth, received a Command to diſobey the King, or know otherwiſe, than by the Scripture, that any Command of the King, that hath the Form and Nature of a Law, is againſt the Law of God; which in divers Places directly and evidently commandeth to obey him in all things. The Text you cite does not tell us, that a Miniſter's Authority, rather than a Chriſtian King's, ſhall decide the Queſtions that ariſe from the different Interpretations of the Scripture. And therefore, where the King is Head of the Church, and by Conſequence (to omit, that the Scripture itſelf was not received, but by the Authority of Kings and States) chief Judge of the Rectitude of all Interpretations of Scripture; to obey the King's Laws and publick Edicts, is not to diſobey, but to obey God. A Miniſter ought not to think, that his Skill in the *Latin*, *Greek*, or *Hebrew* Tongues, if he have any, gives him a Privilege to impoſe upon all his Fellow-Subjects in his own Senſe, or what he pretends to be his Senſe of every obſcure place of Scripture; nor ought he, as oft as he hath found out ſome fine Interpretation, not before thought on by others, to think he had it by Inſpiration: for he cannot be aſſured of that; no, nor that his Interpretation, as fine as he thinks it, is not falſe; and then all his Stubbornneſs and Contumacy toward the King, and his Laws, is nothing but Pride of Heart and Ambition, or elſe Impoſture. And whereas you think it needleſs, or perhaps hurtful, to have the Scriptures in *Engliſh*, I am of another Mind. There are ſo many Places of Scripture eaſy to be underſtood, that teach both true Faith, and good Morality, and that as fully as is neceſſary to Salvation; of which no Seducer is able to diſpoſſeſs the Mind of any ordinary Reader: and the reading of them is ſo profitable, as not to be forbidden without great Damage to them and the Commonwealth.

B. All that is required, both in Faith and Manners, for Man's Salvation, is, I confeſs, ſet down in Scripture, as plainly as can be. *Children, obey your Parents in all Things: Servants, obey your Maſters: Let all Men be ſubject to the higher Powers, whether it be the King, or thoſe that are ſent by him: Love God with all your Soul, and your Neighbour as your ſelf:* are Words of Scripture, which are well enough underſtood: but neither Children, nor the greateſt part of Men, do underſtand why it is their Duty to do ſo. They ſee not that the Safety of the Commonwealth, and conſequently their own, depends upon their doing it. Every Man by Nature, without Diſcipline, does in all his Actions look upon, as far as he can ſee, the Benefit that ſhall redound to himſelf from his Obedience. He reads that Covetouſneſs is the Root of all Evil, but he thinks, and ſometimes finds, it is the Root of his Eſtate. And ſo in other Caſes the Scripture ſays one thing, and they think another, weighing the Commodities or Incommodities of this preſent Life only, which are in their Sight, never putting into the Scales the Good and Evil of the Life to come, which they ſee not.

A. All this is no more than happens where the Scripture is ſeal'd up in *Greek* and *Latin*, and the People taught the ſame Things out of them by Preachers.

But they that are of a Condition and Age fit to examine the Senſe of what they read, and that take a Delight in ſearching out the Grounds of their Duty, certainly cannot chuſe but, by their reading of the Scriptures, come to ſuch a Senſe of their Duty, as not only to obey the Laws themſelves, but alſo to induce others to do the ſame: for commonly Men of Age and Quality, are followed by their inferior Neighbours, that look more upon the Example of thoſe Men whom they reverence, and whom they are unwilling to diſpleaſe, than upon Precepts and Laws.

B. Theſe Men of the Condition and Age you ſpeak of are, in my Opinion, the unfitteſt of all others to be truſted with the reading of the Scriptures. I know you mean ſuch as have ſtudied the *Greek* or *Latin*, or both Tongues, and that are withal ſuch as love Knowledge, and conſequently take Delight in finding out the Meaning of the moſt hard Texts, or in thinking they have found it, in caſe it be new, and not found out by others. Theſe are therefore they, that pretermitting the eaſy Places, which teach them their Duty, fall to ſcanning only of the Myſteries of Religion; as, How it may be made out with Wit, that there be Three that bear Rule in Heaven, and thoſe Three but One? How the Deity could be made Fleſh? How that Fleſh could be really preſent in many Places at once? Where's the Place, and what the Torments of Hell, and other metaphyſical Doctrines? Whether the Will of Man be free, or governed by the Will of God? Whether Sanctity comes by Inſpiration or Education? By whom Chriſt now ſpeaks to us? Whether by the King, or by the Clergy, or by the Bible, to every Man that reads it and interprets it to himſelf, or by a private Spirit to every private Man? Theſe and the like Points are the Study of the Curious, and the Cauſe of all our late Miſchief, and the Cauſe that makes the plainer ſort of Men, whom the Scripture had taught Belief in Chriſt, Love towards God, Obedience to the King, and Sobriety of Behaviour, forget it all, and place their Religion in the diſputable Doctrines of theſe your wiſe Men.

A. I do not think theſe Men fit to interpret the Scripture to the reſt, nor do I ſay that the reſt ought to take their Interpretation for the Word of God. Whatſoever is neceſſary for them to know is ſo eaſy, as not to need Interpretation. Whatſoever is more, does them no good. But in caſe any of thoſe unneceſſary Doctrines ſhall be authorized by the Laws of the King, or other State, I ſay it is the Duty of every Subject not to ſpeak againſt them, inaſmuch as it is every Man's Duty to obey him or them that have the Sovereign Power; and the Wiſdom of all ſuch Powers to puniſh ſuch as ſhall publiſh, or teach their private Interpretations, when they are contrary to the Law, and likely to incline Men to Sedition or Diſputing againſt the Law.

B. They muſt puniſh then the moſt of thoſe that have had their Breeding in the Univerſities: for ſuch curious Queſtions in Divinity are firſt ſtarted in the Univerſities, and ſo are all thoſe politic Queſtions concerning the Rights of Civil and Eccleſiaſtical Government, and there they are furniſhed with Arguments for Liberty out of the Works of *Ariſtotle*, *Plato*, *Cicero*, *Seneca*, and out of the Hiſtories of *Rome* and *Greece*, for their Diſputation againſt the neceſſary Power of their Sovereigns. Therefore I deſpair of any laſting Peace amongſt ourſelves, till the Univerſities here ſhall bend and direct their Studies to the ſettling of it, that is, to the teaching of abſolute Obedience to the Laws of the King, and to his public Edicts under the Great Seal of *England:* for I make no Doubt, but that ſolid Reaſon, back'd with the Authority of ſo many Learned Men, will more prevail for the keeping of us in Peace within ourſelves, than any Victory can do over the Rebels: but I am afraid that it is impoſſible to bring the Univerſities to ſuch a Compliance with the Actions of State, as is neceſſary for the Buſineſs.

A. Seeing the Univerſities have heretofore, from time to time, maintained the Authority of the Pope, contrary to all Laws Divine, Civil, and Natural, againſt the Right of our Kings, why can they not as well, when they have all Manner of Laws and Equity on their Side, maintain the Rights of him that is both Sovereign of the Kindgom, and Head of the Church?

B. Why then were they not in all Points for the King's Power preſently after that King *Henry* VIII. was in Parliament declared Head of the Church, as much as they were before for the Authority of the Pope?

A. Becauſe the Clergy in the Univerſities, by whom all Things there are governed, and the Clergy without the Univerſities, as well Biſhops as inferior Clerks, did think that the pulling down of the Pope was the ſetting up them (as to *England)* in his Place, and made no Queſtion (the greateſt Part of them) but that their ſpiritual Power did depend, not upon the Authority of the King, but of Chriſt himſelf, derived to them by a ſucceſſive Impoſition of Hands from Biſhop to Biſhop, notwithſtanding they knew that this Derivation paſſed through the Hands of Popes and Biſhops, whoſe Authority they had caſt off. For though they were content that the Divine Right, which the Pope pretended to in *England*, ſhould be deny'd him; yet they thought it not ſo fit to be taken from the Church of *England*, whom they now ſuppoſed themſelves to repreſent.

It ſeems they did not think it reaſonable that a Woman, or a Child, or a Man that could not conſtrue the *Hebrew*, *Greek*, or *Latin* Bible, nor know perhaps the Declenſions and Conjugations of *Greek* or *Latin* Nouns and Verbs, ſhould take upon him to govern ſo many learned Doctors in Matters of Divinity; for Religion has been for a long time, and is now by moſt People taken for the ſame thing with Divinity, to the great Advantage of the Clergy.

B. And eſpecially now amongſt the Preſbyterians; for I ſee few that are by them eſteemed very good Chriſtians, beſides ſuch as can repeat their Sermons, and wrangle for them about the Interpretation of the Scripture, and fight for them alſo with their Bodies or Purſes, when they ſhall be required. To believe in Chriſt is nothing with them, unleſs you believe as they bid you: Charity is nothing with them, unleſs it be Charity and Liberality to them, and partaking with them in Faction. How we can have Peace while this is our Religion, I cannot tell. *Hæret lateri lethalis arundo.* The ſeditious Doctrine of the Preſbyterians has been ſtuck ſo hard in the People's Heads and Memories, (I cannot ſay into their Hearts; for they underſtand nothing in it, but that they may lawfully rebel) that I fear the Commonwealth will never be cured.

A. The two great Virtues that were ſeverally in *Henry* VII. and *Henry* VIII. when they ſhall be jointly in one King, will eaſily cure it. That of *Henry* VII. was, without much Noiſe of the People to fill his Coffers; that of *Henry* VIII. was an early Severity; but this without the former cannot be exerciſed.

B. This that you ſay looks (methinks) like an Advice to the King, to let them alone till he have gotten ready Money enough to levy and maintain a ſufficient Army, and then to fall upon them, and deſtroy them.

A. God forbid that ſo horrible, unchriſtian, and inhuman a Deſign ſhould ever enter into the King's Heart. I would have him have Money enough, readily to raiſe an Army able to ſuppreſs any Rebellion, and to take from his Enemies all Hope of Succeſs, that they may not dare to trouble him in the Reformation of the Univerſities, but to put none to Death without the actual committing ſuch Crimes, as are already made Capital by the Laws. The Core of Rebellion, as you have ſeen by this, and read of other Rebellions, are the Univerſities, which nevertheleſs are not to be caſt away, but to be better diſciplined; that is to ſay, that the Politics there taught be made to be (as true Politics ſhould be) ſuch as are fit to make Men know, that it is their Duty to obey all Laws whatſoever that ſhall by the Authority of the King be enacted, till by the ſame Authority they ſhall be repealed; ſuch as are fit to make Men underſtand, that the Civil Laws are God's Laws, as they that make them are by God appointed to make them; and to make Men know, that the People and the Church are one Thing, and that no Man has Title to govern under him, that has it not from him. That the King owes his Crown to God only, and to no Man, Eccleſiaſtic, or other; and that the Religion they teach there be a quiet waiting for the coming again of our Bleſſed Saviour; and in the mean time a Reſolution to obey the King's Laws, which alſo are God's Laws, to injure no Man, to be in Charity with all Men, to cheriſh the poor and ſick, and to live ſoberly and free from Scandal. Without mingling our Religion with Points of Natural Philoſophy, as Freedom of Will, incorporeal Subſtance, everlaſting Nows, Ubiquities, Hypoſtaſes, which the People underſtand not, nor will ever care for. When the Univerſities ſhall be thus diſciplined, there will come out of them, from time to time, well principled Preachers, and they that are now ill principled from time to time fall away.

B. I think it a very good Courſe, and perhaps the only one, that can make our Peace amongſt ourſelves conſtant. For if Men know not their Duty, what is there that can force them to obey the Laws? An Army you'll ſay; but what ſhall force the Army? Were not the Train'd-bands an Army? Were they not Janiſaries, that not very long ago ſlew *Oſman* in his own Palace at *Conſtantinople?* I am therefore of your Opinion, both that Men may be brought to a Love of Obedience by Preachers and Gentlemen that imbibe good Principles in their Youth at the Univerſities, and alſo, that we never ſhall have a laſting Peace, till the Univerſities themſelves be in ſuch Manner (as you have ſaid) reformed; and the Miniſters know they have no Authority but what the Supreme Civil Power gives them; and the Nobility and Gentry know, that the Liberty of a State is not an Exemption from the Laws of their own Country, whether made by an Aſſembly, or by a Monarch; but an Exemption from the Conſtraint and Inſolence of their Neighbours.

And now I am ſatisfied in this point, I will bring you back to the Place, from whence my Curioſity drew you to this long Digreſſion.

We were upon the Point of Ship-money, one of thoſe Grievances which the Parliament exclaimed againſt as tyrannical and arbitrary Government, thereby to ſingle out (as you called it) the King from his Subjects, and to make a Party againſt him, when they ſhould need it. And now you may proceed, if it pleaſe you, to ſuch other Artifices as they uſed to the ſame Purpoſe.

A. I think it were better to give over here our Diſcourſe of this Buſineſs, and refer it to ſome other Day that you ſhall think fit.

B. Content. That Day, I believe, is not far off.

BEHEMOTH.

PART II.

A. YOU are welcome; yet if you had ſtayed ſomewhat longer, my Memory would have been ſo much the better provided for you.

B. Nay, I pray you give me now what you have about you; for the reſt I am content you take what time you pleaſe.

A. After the Parliament had made the People believe, that the exacting of Ship-Money was unlawful, and the People thereby inclined to think it tyrannical; in the next Place, to increaſe their Diſſaffection to his Majeſty, they accuſed him of a Purpoſe, to introduce and authorize the *Roman* Religion in this Kingdom, than which nothing was more hateful to the People; not becauſe it was erroneous, (which they had neither Learning nor Judgment enough to examine) but becauſe they had been uſed to hear it inveighed againſt in the Sermons and Diſcourſes of the Preachers, whom they truſted to: and this was indeed the moſt effectual Calumny to alienate the People's Affections from him, that could poſſibly be invented. The Colour they had for this Slander was firſt, that there was one *Roſetti* Reſident (at and a little before that Time) from the Pope, with the Queen, and one Mr. *George Con* Secretary to the Cardinal *Franciſco Barbarini*, Nephew to Pope *Urban* VIII. ſent over under Favour and Protection of the Queen (as was conceived) to draw as many Perſons of Quality about the Court as he ſhould be able, to reconcile themſelves to the Church of *Rome*; with what Succeſs I cannot tell; but it is likely he gained ſome, eſpecially of the weaker Sex, if I may ſay they were gained by him, when, not his Arguments, but Hope of Favour from the Queen in all Probability prevailed upon them.

B. In ſuch a Conjuncture as that was, it had perhaps been better they had not been ſent.

A. There was Exception alſo taken at a Convent of Fryars Capuchins in *Somerſet-Houſe*, though allowed by the Articles of Marriage: and it was reported, that the Jeſuits alſo were ſhortly after to be allowed a Convent in *Clerkenwell*: and in the mean time, the principal Secretary, Sir *Francis Windebank*, was accuſed for having by his Warrant ſet at Liberty ſome *Engliſh* Jeſuits, that had been taken and impriſoned, for returning into *England* after Baniſhment, contrary to the Statute which had made it Capital. Alſo the Reſort of *Engliſh* Catholics to the Queen's Chapel gave them Colour to blame the Queen herſelf, not only for that, but alſo for all the Favours that had been ſhewn to the Catholics; inſomuch that ſome of them did not ſtick to ſay openly, that the King was governed by her.

B. Strange Injuſtice! The Queen was a Catholic by Profeſſion, and therefore could not but endeavour to do the Catholics all the Good ſhe could, ſhe had not elſe been truly that which ſhe profeſſed to be: but it ſeems they meant to force her to Hypocriſy, being Hypocrites themſelves. Can any Man think it a Crime in a devout Lady, of what Sect ſoever, to ſeek the Favour and Benediction of that Church whereof ſhe is a Member?

A. To give the Parliament another Colour for their Accuſation on Foot of the King, as to introducing of Popery, there was a great Controverſy between the Epiſcopal and Preſbyterian Clergy about Free-will. The Diſpute began firſt in the *Low-Countries*, between *Gomar* and *Armin*, in the time of King *James*, who foreſeeing it might trouble the Church of *England*, did what he could to compoſe the Difference: and an Aſſembly of Divines was thereupon got together at *Dort*, to which alſo King *James* ſent a Divine or two, but it came to nothing; the Queſtion was left undecided, and became a Subject to be diſputed of in the Univerſities here. All the Preſbyterians were of the ſame Mind with *Gomar*, but a very great many others not, and thoſe were called here *Arminians*, who becauſe the Doctrine of Free-will had been exploded as a Papiſtical Doctrine, and becauſe the Preſbyterians were far the greater Number, and already in favour with the People, were generally hated; it was eaſy therefore for the Parliament to make that Calumny paſs currently with the People, when the Archbiſhop of *Canterbury*, Dr. *Laud*, was for *Arminius*, and had a little before, by his Power Eccleſiaſtical, forbidden all Miniſters to preach to the People of Predeſtination: and when all Miniſters that were gracious with him, and hoped for any Church Preferment, fell to preaching, and writing for Free-will, to the uttermoſt of their Power, as a Proof of their Ability and Merit. Beſides, they gave out (ſome of them) that the Archbiſhop was in Heart a Papiſt; and in caſe he could effect a Toleration here of the *Roman* Religion, was to have a Cardinal's Hat; which was not only falſe, but alſo without any Ground at all for a Suſpicion.

B. It is a ſtrange Thing, that Scholars, obſcure Men, that could receive no Clarity but from the Flame of the State, ſhould be ſuffered to bring their unneceſſary Diſputes, and together with them their Quarrels, out of the Univerſities into the Commonwealth; and more ſtrange, that the State ſhould engage in their Parties, and not rather put them both to Silence. A State can conſtrain Obedience, but convince no Error, nor alter the Mind of them that believe they have the better Reaſon. Suppreſſion of Doctrines does but unite and exaſperate; that is, increaſe both the Malice and Power of them that have already believed them. But what are the Points they diſagree in? Is there any Controverſy between Biſhop and Preſbyterian concerning the Divinity or Humanity of Chriſt? Do either of them deny the Trinity, or any Article of the Creed? Does either Party preach openly, or write directly againſt Juſtice, Charity, Sobriety, or any other Duty neceſſary to Salvation; except only the Duty to the King, and not that neither, but when they have a Mind either to rule, or deſtroy the King? Lord have Mercy upon us! Can nobody be ſaved that underſtands not their Diſputations? Or is there more requiſite, either of Faith or Honeſty, for the Salvation of one Man than another? What needs ſo much preaching of Faith to us that are no Heathens, and that believe already all that Chriſt and his Apoſtles have told us is neceſſary to Salvation, and more too? Why is there ſo little preaching of Juſtice? I have indeed heard Righteouſneſs often recommended to the People, but I have ſeldom heard the Word Juſtice in their Sermons; nay, though in the *Latin* and *Greek* Bible the Word Juſtice occurs exceeding often; yet in the *Engliſh*, (though it be a Word that every Man underſtands) the Word Righteouſneſs (which few underſtand to ſignify the ſame, but take it rather for Rightneſs of Opinion than of Action or Intention) is put in the place of it.

A. I confeſs I know very few Controverſies amongſt Chriſtians of Points neceſſary to Salvation. They are the Queſtions of Authority and Power over the Church, or of Profit, or of Honour to Church-men, that for the moſt part raiſe all the Controverſies. For what Man is he, that will trouble himſelf, and fall out with his Neighbours for the ſaving of my Soul, or the Soul of any other than himſelf? When the Preſbyterian Miniſters and others did ſo furiouſly preach Sedition, and animate Men to Rebellion in theſe late Wars; who was there that had not a Benefice, or having one, feared not to loſe it, or ſome other part of his Maintenance by the Alteration of the Government, that did voluntarily, without any Eye to Reward, preach ſo earneſtly againſt Sedition, as the other Party preached for it? I confeſs, that for ought I have obſerved in Hiſtory, and other Writings of the Heathens, *Greek* and *Latin*, that thoſe Heathens were not at all behind us in point of Virtue and moral Duties, notwithſtanding that we had much preaching, and they none at all. I confeſs alſo, that conſidering what Harm may proceed from a Liberty that Men have upon every *Sunday*, and oftener, to harangue all the People of a Nation at one time, whilſt the State is ignorant of what they will ſay, and that there is no ſuch Thing permitted in all the World out of *Chriſtendom*, nor therefore any Civil Wars about Religion, I have thought much preaching an Inconvenience; nevertheleſs I cannot think that preaching to the People the Points of their Duty, both to God and Man, can be too frequent, ſo it be done by grave, diſcreet and ancient Men, that are reverenced by the People; and not by light quibbling young Men, whom no Congregation is ſo ſimple, as to look to be taught by, (as being a Thing contrary to Nature) or to pay them any Reverence, or to care what they ſay, except ſome few that may be delighted with their Jingling: I wiſh with all my Heart there were enough of ſuch diſcreet and ancient Men, as might ſuffice for all the Pariſhes of *England*, and that they would undertake it. But this is but a Wiſh; I leave it to the Wiſdom of the State to do what it pleaſeth.

B. What did they next?

A. Whereas the King had ſent Priſoners into Places remote from *London*, three Perſons that had been condemn'd for publiſhing ſeditious Doctrine, ſome in Writing, ſome in public Sermons, the Parliament (whether with his Majeſty's Conſent or no, I have forgotten) cauſed them to be releaſed, and to return to *London*; meaning (I think) to try how the People would be pleaſed therewith, and by Conſequence, how their Endeavours to draw the People's Affections from the King had already proſpered. When theſe three came through *London*, it was a kind of Triumph, the People flocking together to behold them, and receiving them with ſuch Acclamations, and almoſt Adoration, as if they had been let down from Heaven. Inſomuch as the Parliament was now ſufficiently aſſur'd of a great and tumultuous Party, whenſoever they ſhould have Occaſion to uſe it: On the Confidence whereof they proceeded to their next Plot, which was to deprive the King of ſuch Miniſters, as by their Wiſdom, Courage and Authority, they thought moſt able to prevent, or oppoſe their farther Deſigns againſt the King.

And firſt the Houſe of Commons reſolved to impeach the Earl of *Strafford*, Lord Lieutenant of *Ireland*, of High Treaſon.

B. What was that Earl of *Strafford* before he had that Place? And how had he offended the Parliament, or given them Cauſe to think he would be their Enemy? for I have heard that in former Parliaments he had been as parliamentary as any other.

A. His name was Sir *Thomas Wentworth*, a Gentleman, both for Birth and Eſtate very conſiderable in his own Country, which was *Yorkſhire*, but more conſiderable for his Judgment in the public Affairs, not only of that Country, but generally of the Kingdom, and was therefore often choſen for the Parliament, either as Burgeſs for ſome Borough, or Knight of the Shire. For his Principles of Politics, they were the ſame that were generally proceeded upon by all Men elſe that were thought fit to be choſen for the Parliament, which are commonly theſe: To take for the Rule of Juſtice and Government the Judgments and Acts of former Parliaments, which are commonly called Precedents: To endeavour to keep the People from being ſubject to extra-parliamentary Taxes of Money, and from being with parliamentary Taxes too much oppreſſed: To preſerve to the People their Liberty of Body from the arbitrary Power of the King out of Parliament: To ſeek Redreſs of Grievances.

B. What Grievances?

A. The Grievances commonly were ſuch as theſe: The King's too much Liberality to ſome Favourite: The too much Power of ſome Miniſter or Officer of the Commonwealth: The Miſdemeanour of Judges Civil or Spiritual, but eſpecially all unparliamentary raiſing of Money upon the Subjects. And commonly of late, till ſuch Grievances be redreſſed, they refuſe, or at leaſt make great Difficulty to furniſh the King with Money neceſſary for the moſt urgent Occaſions of the Commonwealth.

B. How then can a King diſcharge his Duty as he ought to do, or the Subject know which of his Maſters he is to obey; for here are manifeſtly two Powers, which, when they chance to differ, cannot both be obeyed?

A. 'Tis true; but they have not often differed ſo much to the Danger of the Commonwealth, as they have done in this Parliament 1640. In all the Parliaments of the late King *Charles*, before the Year 1640, my Lord of *Strafford* did appear in Oppoſition to the King's Demands, as much as any Man, and was, for that Cauſe, very much eſteemed and cried up by the People as a good Patriot, and one that courageouſly ſtood up in defence of their Liberties; and for the ſame Cauſe was ſo much the more hated, when afterwards he endeavoured to maintain the Royal and juſt Authority of his Majeſty.

B. How came he to change his Mind ſo much, as it ſeems he did?

A. After the Diſſolution of the Parliament holden in the Year 1627 and 1628, the King finding no Money to be gotten from Parliaments, which he was not to buy with the Blood of ſuch Servants and Miniſters as he loved beſt, abſtained a long time from calling any more, and had abſtained longer, if the Rebellion of the *Scots* had not forced him to it. During that Parliament the King made Sir *Thomas Wentworth* a Baron, recommended to him for his great Ability, which was generally taken notice of by the Diſſervice he had done the King in former Parliaments, but which might be uſeful alſo for him in the Times that came on; and not long after he made him of the Council, and after that again Lieutenant of *Ireland*, which Place he diſcharged with great Satisfaction and Benefit to his Majeſty, and continued in that Office, till by the Envy and Violence of the Lords and Commons of that unlucky Parliament of 1640, he died. In which Year he was made General of the King's Forces againſt the *Scots* that then entered into *England*, and the Year before, Earl of *Strafford*. The Pacification being made, and the Forces on both Sides diſbanded, and the Parliament at *Weſtminſter* now ſitting, it was not long before the Houſe of Commons accuſed him to the Houſe of Lords of High Treaſon.

B. There was no great Probability of his being a Traitor to the King, from whoſe Favour he had received his Greatneſs, and from whoſe Protection he was to expect his Safety. What was the Treaſon they laid to his Charge?

A. Many Articles were drawn up againſt him, but the Sum of them was contained in theſe two. Firſt, That he had traiterouſly endeavoured to ſubvert the fundamental Laws and Government of the Realm; and inſtead thereof to introduce arbitrary and tyrannical Government againſt Law. Secondly, That he had laboured to ſubvert the Rights of Parliaments, and the ancient Courſe of Parliamentary Proceedings.

B. Was this done by him without the Knowledge of the King?

A. No.

B. Why then, if it were Treaſon, did not the King himſelf call him in queſtion by his Attorney? What had the Houſe of Commons to do without his Command, to accuſe him in the Houſe of Lords? They might have complained to the King, if he had not known it before. I underſtand not this Law.

A. Nor I.

B. Had this been by any former Statutes made Treaſon?

A. Not that I ever heard of; nor do I underſtand how any thing can be Treaſon againſt the King, that the King hearing and knowing does not think Treaſon. But it was a Piece of that Parliament's Artifice to put the Word Traiterouſly to any Article exhibited againſt any Man, whoſe Life they meant to take away.

B. Was there no particular Inſtance of Action, or Words, out of which they argued that Endeavour of his to ſubvert the fundamental Laws of Parliament whereof they accuſed him?

A. Yes; they ſaid he gave the King Counſel to reduce the Parliament to their Duty by the *Iriſh* Army, which not long before my Lord of *Strafford* himſelf had cauſed to be levied there for the King's Service; but it was never proved againſt him, that he adviſed the King to uſe it againſt the Parliament.

B. What are thoſe Laws that are called fundamental? for I underſtand not how one Law can be more fundamental than another, except only that Law of Nature that binds us all to obey him, whoſoever he be, whom lawfully, and for our own Safety we have promiſed to obey; nor any other fundamental Law to a King, but *Salus Populi*, the Safety and well-being of his People.

A. This Parliament in the Uſe of their Words, when they accuſed any Man, never regarded the Signification of them, but the Weight they had to aggravate their Accuſation to the ignorant Multitude, which think all Faults heinous, that are expreſſed in heinous Terms, if they hate the Perſon accuſed, as they did this Man; not only for being of the King's Party, but alſo for deſerting the Parliament's Party as an Apoſtate.

B. I pray you tell me alſo what they mean by arbitrary Government, which they ſeemed ſo much to hate? Is there any Governor of a People in the World that is forced to govern them, or forced to make this and that Law, whether he will or no? I think not; or if any be, he that forces him does certainly make Laws, and govern arbitrarily.

A. That's true; and the true Meaning of the Parliament was, that not the King, but they themſelves ſhould have the arbitrary Government, not only of *England*, but of *Ireland*, and (as it appeared by the Event) of *Scotland* alſo.

B. How the King came by the Government of *Scotland* and *Ireland* by Deſcent from his Anceſtors, every Body can tell; but if the King of *England* and his Heirs ſhould chance (which God forbid) to fail, I cannot imagine what Title the Parliament of *England* can acquire thereby to either of thoſe Nations.

A. Yes; they'll ſay they had been conquered anciently by the *Engliſh* Subjects Money.

B. Like enough, and ſuitable to the reſt of their Impudence.

A. Impudence in Democratical Aſſemblies does almoſt all that's done; 'tis the Goddeſs of Rhetoric, and carries Proof with it: for what ordinary Man will not from ſo great Boldneſs of Affirmation conclude, there is great Probability in the Thing affirmed. Upon this Accuſation he was brought to his Tryal in *Weſtminſter-Hall*, before the Houſe of Lords, and found guilty, and preſently after declared Traitor by a Bill of Attainder, that is, by Act of Parliament.

B. It is a ſtrange Thing that the Lords ſhould be induced, upon ſo light Grounds, to give a Sentence, or give their Aſſent to a Bill ſo prejudicial to themſelves and their Poſterity.

A. 'Twas not well done, and yet (as it ſeems) not ignorantly; for there is a Clauſe in the Bill, that it ſhould not be taken hereafter for an Example, that is, for a Prejudice in the like Caſe hereafter.

B. That's worſe than the Bill itſelf, and is a plain Confeſſion that their Sentence was unjuſt: for what Harm is there in the Examples of juſt Sentences? Beſides, if hereafter the like Caſe ſhould happen, the Sentence is not at all made weaker by ſuch a Proviſion.

A. Indeed I believe that the Lords, moſt of them, were not of themſelves willing to condemn him of Treaſon, they were awed to it by the Clamour of common People that came to *Weſtminſter*, crying out Juſtice, Juſtice, againſt the Earl of *Strafford*; the which were cauſed to flock thither by ſome of the Houſe of Commons that were well aſſured, after the triumphant Welcome of *Pryn*, *Burton* and

Baſtwick, to put the People into Tumult, upon any Occaſion they deſired. They were awed unto it partly alſo by the Houſe of Commons itſelf, which if it deſired to undo a Lord, had no more to do, but to vote him a Delinquent.

B. A Delinquent; what's that? A Sinner is't not? Did they mean to undo all Sinners?

A. By Delinquent they meant only a Man to whom they would do all the Hurt they could: but the Lords did not yet, I think, ſuſpect they meant to caſhire their whole Houſe.

B. It's a ſtrange Thing the whole Houſe of Lords ſhould not perceive, that the Ruin of the King's Power, or the weakening of it, was the Ruin, or weakening of themſelves: for they could not think it likely, that the People ever meant to take the Sovereignty from the King to give it to them, who were few in Number, and leſs in Power than ſo many Commoners, becauſe leſs beloved by the People.

A. But it ſeems not ſo ſtrange to me; for the Lords for their perſonal Abilities, as they were no leſs, ſo alſo they were no more ſkilful in the public Affairs, than the Knights and Burgeſſes: for there is no Reaſon to think, that if one that is to-day a Knight of the Shire in the Lower Houſe, be to-morrow made a Lord, and a Member of the Higher Houſe, he is therefore wiſer than he was before. They are all of both Houſes prudent and able Men as any in the Land, in the Buſineſs of their private Eſtates, which require nothing but Diligence and natural Wit to govern them; but for the Government of a Commonwealth, neither Wit nor Prudence, nor Diligence is enough, without infallible Rules, and the true Science of Equity and Juſtice.

B. If this be true, it is impoſſible any Commonwealth in the World, whether Monarchy, Ariſtocracy or Democracy ſhould continue long without Change, or Sedition tending to change, either of the Government or of the Governors.

A. 'Tis true; nor have any the greateſt Commonwealths in the Word been long free from Sedition. The *Greeks* had for a while their petty Kings, and then by Sedition came to be petty Commonwealths, and then growing to be greater Commonwealths, by Sedition again became Monarchies, and all for want of Rules of Juſtice for the common People to take notice of, which if the People had known in the Beginning of every of theſe Seditions, the ambitious Perſons could never had the Hope to diſturb their Government, after it had been once ſettled; for Ambition can do little without Hands, and few Hands it would have, if the common People were as diligently inſtructed in the true Principles of their Duty, as they are terrified and amazed by Preachers with fruitleſs and dangerous Doctrines concerning the Nature of Man's Will, and many other philoſophical Points that tend not at all to the Salvation of the Soul in the World to come, nor to their Eaſe in this Life, but only to the Direction towards the Clergy of that Duty which they ought to perform to the King.

B. For ought I ſee, all the States of Chriſtendom will be ſubject to theſe Fits of Rebellion, as long as the World laſteth.

A. Like enough, and yet the Fault (as I have ſaid) may be eaſily mended, by mending the Univerſities.

B. How long had the Parliament now ſitten?

A. It began *November* the third 1640. My Lord of *Strafford* was impeached of Treaſon before the Lords *November* the 12th, ſent to the *Tower November* the 22d, his Tryal began *March* 22d, and ended *April* 13th. After his Tryal he was voted guilty of High Treaſon in the Houſe of Commons, and after that in the Houſe of Lords *May* the 6th, and on the 12th of *May* beheaded.

B. Great Expedition; but could not the King for all that have ſaved him by a Pardon?

A. The King had heard all that paſſed at his Tryal, and had declared he was unſatiſfied concerning the Juſtice of their Sentence, and (I think) notwithſtanding the Danger of his own Perſon from the Fury of the People, and that he was counſell'd to give way to his Execution, not only by ſuch as he moſt relied on, but alſo by the

Earl of *Strafford* himſelf, he would have pardoned him, if that could have preſerved him againſt the Tumult raiſed and countenanced by the Parliament itſelf, for the terrifying of thoſe they thought might favour him: and yet the King himſelf did not ſtick to confeſs afterwards, that he had done amiſs in that he did not reſcue him.

B. 'Twas an Argument of good Diſpoſition in the King; but I never read that *Auguſtus Cæſar* acknowledged that he had done a Fault in abandoning *Cicero* to the Fury of his Enemy *Antonius*. Perhaps becauſe *Cicero* having been of the contrary Faction to his Father, had done *Auguſtus* no Service at all out of Favour to him, but only out of Enmity to *Antonius*, and out of Love to the Senate, that is indeed out of Love to himſelf that ſway'd the Senate; as it is very likely the Earl of *Strafford* came over to the King's Party for his own Ends, having been ſo much againſt the King in former Parliaments.

A. We cannot ſafely judge of Men's Intentions; but I have obſerved often, that ſuch as ſeek Preferment by their Stubbornneſs, have miſs'd of their Aim; and on the other ſide, that thoſe Princes, that with Preferment are forced to buy the Obedience of their Subjects, are already, or muſt be ſoon after in a very weak Condition: for in a Market where Honour and Power is to be bought with Stubbornneſs, there will be a great many as able to buy, as my Lord *Strafford* was.

B. You have read, that when *Hercules* fighting with the *Hydra*, had cut off any one of his many Heads, there ſtill aroſe two other Heads in its Place, and yet at laſt he cut them off all.

A. The Story is told falſe: for *Hercules* at firſt did not cut off thoſe Heads, but bought them off, and afterwards, when he ſaw it did him no good, then he cut them off, and got the Victory.

B. What did they next?

A. After the firſt Impeachment of the Earl of *Strafford*, the Houſe of Commons, upon *December* the 18th, accuſed the Archbiſhop of *Canterbury* alſo of High Treaſon, that is, of Deſign to introduce arbitrary Government, *&c.* for which he was *February* the 18th ſent to the Tower, but his Tryal and Execution were deferred a long Time, till *January* the 10th 1643, for the Entertainment of the *Scots*, that were come into *England* to aid the Parliament.

B. Why did the *Scots* think there was ſo much Danger in the Archbiſhop of *Canterbury*? He was not a Man of War, nor a Man able to bring an Army into the Field; but he was perhaps a very great Politician.

A. That did not appear by any remarkable Event of his Counſels. I never heard but he was a very honeſt Man for his Morals, and a very zealous Promoter of the Church Government ~~by Biſhops~~, and that deſired to have the Service of God performed, and the Houſe of God adorned, as ſuitably as was poſſible to the Honour we ought to do to the Divine Majeſty. But to bring, as he did, into the State his former Controverſies, I mean his Squabblings in the Univerſity about Free-will, and his ſtanding upon Punctilios, concerning the Service Book and its Rubrics, was not, in my Opinion, an Argument of his Sufficiency in Affairs of State. About the ſame Time they paſſed an Act (which the King conſented to) for a triennial Parliament, wherein was enacted, That after the preſent Parliament there ſhould be a Parliament called by the King within the Space of three Years, and ſo from three Years to three Years, to meet at *Weſtminſter* upon a certain Day named in the Act.

B. But what if the King did not call it, finding it perhaps inconvenient, or hurtful to the Safety or Peace of his People, which God hath put into his Charge? For I do not well comprehend how any Sovereign can well keep a People in Order when his Hands are tied, or when he hath any other Obligation upon him, that the Benefit of thoſe he governs; and at this Time, for any thing you have told me, they acknowledged the King for their Sovereign.

A. I know not; but ſuch was the Act. And it was farther enacted, That if the King did it not by his own Command, then the Lord Chancellor, or the Lord

Keeper for the Time being, ſhould ſend out the Writs of Summons; and if the Chancellor refuſed, then the Sheriffs of the ſeveral Counties ſhould, of themſelves, in their next County Courts, before the Day ſet down for the Parliament's meeting, proceed to the Election of the Members for the ſaid Parliament.

B. But what if the Sheriffs refuſed?

A. I think they were to be ſworn to it: but for that, and other Particulars, I refer you to the Act.

B. To whom ſhould they be ſworn, when there is no Parliament?

A. No doubt but to the King, whether there be a Parliament ſitting or no.

B. Then the King may releaſe them of their Oath.

A. Beſides, they obtained of the King the putting down the Star-Chamber, and the High-Commiſſion-Courts.

B. Beſides, if the King upon the Refuſal ſhould fall upon them in Anger; who ſhall (the Parliament not ſitting) protect either the Chancellor or the Sheriffs in their Diſobedience.

A. I pray you do not aſk me any Reaſon of ſuch Things I underſtand no better than you. I tell you only an Act paſſed to that Purpoſe, and was ſigned by the King in the middle of *February*, a little before the Archbiſhop was ſent to the Tower. Beſides this Bill, the two Houſes of Parliament agreed upon another, wherein it was enacted, That the preſent Parliament ſhould continue till both the Houſes did conſent to the Diſſolution of it; which Bill alſo the King ſigned the ſame Day he ſigned the Warrant for the Execution of the Earl of *Strafford*.

B. What a great Progreſs made the Parliament towards the Ends of the moſt ſeditious Members of both Houſes in ſo little Time? They ſat down in *November*, and now it was *May*; in this Space of Time, which is but half a Year, they won from the King the Adherence which was due to him from his People; they drove his faithfulleſt Servants from him; beheaded the Earl of *Strafford*; impriſon'd the Archbiſhop of *Canterbury*; obtain'd a triennial Parliament after their own Diſſolution, and a Continuance of their own ſitting, as long as they liſted; which laſt amounted to a total Extinction of the King's Right, in caſe that ſuch a Grant were valid, which I think it is not, unleſs the Sovereignty itſelf be in plain Terms renounced, which it was not. But what Money, by way of Subſidy, or otherwiſe, did they grant the King in Recompence of all theſe his large Conceſſions?

A. None at all; but often promiſed they would make him the moſt glorious King that ever was in *England*; which were Words that paſſed well enough for well-meaning with the common People.

B. But the Parliament was contented now: for I cannot imagine what they ſhould deſire more from the King, than he had now granted them.

A. Yes; they deſired the whole and abſolute Sovereignty, and to change the Monarchical Government into an Oligarchy; that is to ſay, to make the Parliament, conſiſting of a few Lords, and about four hundred Commoners, abſolute in the Sovereignty, for the preſent, and ſhortly after to lay the Houſe of Lords aſide: for this was the Deſign of the Preſbyterian Miniſters, who taking themſelves to be by Divine Right the only lawful Governors of the Church, endeavoured to bring the ſame Form of Government into the Civil State. And as the Spiritual Laws were to be made by their Synods, ſo the Civil Laws ſhould be made by the Houſe of Commons, who as they thought would no leſs be ruled by them afterwards, than they formerly had been; wherein they were deceived, and found themſelves outgone by their own Diſciples, though not in Malice, yet in Wit.

B. What followed after this?

A. In *Auguſt* following, the King ſuppoſing he had now ſufficiently obliged the Parliament to proceed no farther againſt him, took a Journey into *Scotland*, to ſatisfy his Subjects there, as he had done here, intending perhaps ſo to gain their Goodwills, that in caſe the Parliament here ſhould levy Arms againſt him, they ſhould not be aided by the *Scots*; wherein he alſo was deceived; for though they ſeemed ſatiſfied with what he did, (whereof one Thing was his giving way to the Abolition of Epiſcopacy) yet afterwards they made a League with the Parliament, and for Money (when the King began to have the better of the Parliament) invaded *England* in the Parliament's Quarrel, but this was a Year or two after.

B. Before you go any farther, I deſire to know the Ground and Original of that Right, which either the Houſe of Lords, or Houſe of Commons, or both together, now pretend to.

A. It is a Queſtion of Things ſo long paſt, that they are now forgotten. Nor have we any thing to conjecture by, but the Records of our own Nation, and ſome ſmall and obſcure Fragments of *Roman* Hiſtories: And for the Records, ſeeing they are of Things done only, ſometimes juſtly, ſometimes unjuſtly, you can never by them know what Right they had, but only what Right they pretended.

B. However let me know what Light we have in this Matter from the *Roman* Hiſtories.

A. It would be too long, and an uſeleſs Digreſſion, to cite all the ancient Authors that ſpeak of the Forms of thoſe Commonwealths, which were amongſt our firſt Anceſtors the *Saxons*, and other *Germans*, and of other Nations, from whom we derive the Titles of Honour now in uſe in *England*; nor will it be poſſible to derive from them any Argument of Right, but only Examples of Fact, which by the Ambition of potent Subjects have been oftener unjuſt, than otherwiſe. And for thoſe *Saxons* or *Angles*, that in ancient Times by ſeveral Invaſions made themſelves Maſters of this Nation; they were not in themſelves one Body of a Commonwealth, but only a League of divers petty *German* Lords and States, ſuch as was the *Grecian* Army in the *Trojan* War, without other Obligation, than that which proceeded from their own Fear and Weakneſs. Nor were thoſe Lords, for the moſt part, the Sovereigns at home in their own Country, but choſen by the People for the Captains of the Forces they brought with them. And therefore it was not without Equity, when they had conquered any part of the Land, and made ſome one of them King thereof, that the reſt ſhould have greater Privileges than the common People and Soldiers, amongſt which Privileges a Man may eaſily conjecture this to be one; That they ſhould be made acquainted, and be of Council with him that hath the Sovereignty in matter of Government, and have the greateſt and moſt honourable Offices, both in Peace and War. But becauſe there can be no Government where there is more than one Sovereign, it cannot be inferr'd, that they had a Right to oppoſe the King's Reſolutions by Force, nor to enjoy thoſe Honours and Places longer than they ſhould continue good Subjects. And we find that the Kings of *England* did, upon every great Occaſion, call them together, by the Name of diſcreet and wiſe Men of the Kingdom, and hear their Counſel, and make them Judges of all Cauſes that, during their ſitting, were brought before them. But as he ſummon'd them at his own Pleaſure, ſo he had alſo ever the Power at his own Pleaſure to diſſolve them. The *Normans* alſo, that deſcended from the *Germans*, as we did, had the ſame Cuſtoms in this Particular; and by this Means this Privilege of the Lords to be of the King's Great Council, and when they were aſſembled to be the higheſt of the King's Courts of Juſtice, continued ſtill after the Conqueſt to this Day. But though there be amongſt the Lords divers Names or Titles of Honour, yet they have their Privilege by the only Name of Baron, a Name receiv'd from the ancient *Gauls*, amongſt whom that Name ſignified the King's Man, or rather one of his great Men: By which it ſeems to me, that though they gave him Counſel, when he requir'd it, yet they had no Right to make War upon him, if he did not follow it.

B. When began firſt the Houſe of Commons to be Part of the King's Great Council?

A. I do not doubt but that before the Conqueſt ſome diſcreet Men, and known to be ſo by the King, were called by ſpecial Writ to be of the ſame Council, though they were not Lords; but that is nothing to the Houſe of Commons: The Knights of Shires and Burgeſſes were never called to Parliament for ought that I know, till the beginning of the Reign of *Edward* I. or the latter end of the Reign of *Henry* III. immediately after the Misbehaviour of the Barons; and for ought any Man knows, were called on purpoſe to weaken that Power of the Lords, which they had ſo freſhly abuſed. Before the Time of *Henry* III. the Lords were deſcended moſt of them from ſuch as in the Invaſions and Conqueſts of the *Germans* were Peers and Fellow-Kings, till one was made King of them all; and their Tenants were their Subjects, as it is at this Day with the Lords of *France*: But after the Time of *Henry* III. the Kings began to make Lords in the Place of them whoſe Iſſued failed, Titulary only, without the Lands belonging to their Title; and by that means their Tenants being no longer bound to ſerve them in the Wars, they grew every Day leſs and leſs able to make a Party againſt the King, though they continued ſtill to be his Great Council. And as their Power decreaſed, ſo the Power of the Houſe of Commons increaſed; but I do not find they were part of the King's Council at all, nor Judges over other Men; though it cannot be denied, but a King may ask their Advice, as well as the Advice of any other; but I do not find that the End of their ſummoning was to give Advice, but only in Caſe they had any Petitions for Redreſs of Grievances, to be ready there with them, whilſt the King had his Great Council about him.

But neither they nor the Lords could preſent to the King as a Grievance; That the King took upon him to make the Laws; to chuſe his own Privy Counſellors; to raiſe Money and Soldiers; to defend the Peace and Honour of the Kingdom; to make Captains in his Army; to make Governors of his Caſtles, whom he pleaſed; for this had been to tell the King, that it was one of their Grievances that he was King.

B. What did the Parliament do whilſt the King was in *Scotland?*

A. The King went in *Auguſt*, after which the Parliament *September* the 8th adjourned, till the 20th of *October*, and the King returned about the End of *November* following, in which Time the moſt ſeditious of both Houſes, and which had deſigned the Change of Government, and to caſt off Monarchy, (but yet had not Wit enough to ſet up any other Government in its Place, and conſequently left it to the Chance of War) made a Cabal amongſt themſelves, in which they projected how by ſeconding one another to govern the Houſe of Commons, and invented how to put the Kingdom, by the Power of that Houſe, into a Rebellion, which they then called a Poſture of Defence againſt ſuch Dangers from abroad as they themſelves would feign and publiſh. Beſides, while the King was in *Scotland*, the *Iriſh* Papiſts got together a great Party, with an Intention to maſſacre the Proteſtants there, and had laid a Deſign for the ſeizing of *Dublin* Caſtle *October* the 23d, where the King's Officers of the Government of that Country made their Reſidence, and had effected it, had it not been diſcovered the Night before. The Manner of the Diſcovery, and the Murders they committed in the Country afterwards, I need not tell you, ſince the whole Story of it is extant.

B. I wonder they did not expect and provide for a Rebellion in *Ireland*, as ſoon as they began to quarrel with the King in *England*: for was there any body ſo ignorant, as not to know, that the *Iriſh* Papiſts did long for a Change of Religion there, as well as the Preſbyterians in *England?* or that in general the *Iriſh* Nation did hate the Name of Subjection to *England?* or would longer be quiet than they feared an Army out of *England* to chaſtiſe them? What better Time then could they take for their Rebellion than this, wherein they were encouraged, not only by our Weakneſs, cauſed by this Diviſion between the King and his Parliament, but alſo by the Example of the Preſbyterians, both of the *Scotch* and *Engliſh* Nation? But what did the Parliament do upon this Occaſion in the King's Abſence?

A. Nothing, but conſider what Uſe they might make of it to their own Ends, partly by imputing it to the King's evil Counſellors, and partly by Occaſion thereof to demand of the King the Power of preſſing and ordering of Soldiers; which Power whoſoever has, has alſo, without Doubt, the whole Sovereignty.

B. When came the King back?

A. He came back the 25th of *November*, and was welcomed with the Acclamations of the common People, as much as if he had been the moſt beloved of all the Kings that were before him, but found not a Reception by the Parliament anſwerable to it. They preſently began to pick new Quarrels againſt him out of every thing he ſaid to them. *December* the 2d the King called together both Houſes of Parliament, and then did only recommend unto them the raiſing Succours for *Ireland*.

B. What Quarrel could they pick out of that?

A. None: but in order thereto, as they may pretend, they had a Bill in Agitation to aſſert the Power of levying and preſſing Soldiers to the two Houſes of the Lords and Commons; which was as much as to take from the King the Power of the Militia, which is in Effect the whole Sovereign Power: for he that hath the Power of levying and commanding the Soldiers, has all other Rights of Sovereignty, which he ſhall pleaſe to claim. The King hearing of it, called the Houſes of Parliament together again, on *December* the 14th, and then preſſed again the Buſineſs of *Ireland*, (as there was need; for all this while the *Iriſh* were murdering of the *Engliſh* in *Ireland*, and ſtrengthening themſelves againſt the Forces they expected out of *England*) and withal told them, he took Notice of the Bill in agitation for preſſing of Soldiers, and he was contented it ſhould paſs with a *Salvo Jure* both for him and them, becauſe the preſent Time was unſeaſonable to diſpute it in.

B. What was there unreaſonable in this?

A. Nothing. What's unreaſonable is one Queſtion, what they quarrelled at is another. They quarrelled at this: That his Majeſty took Notice of the Bill, while it was in Debate in the Houſe of Lords, before it was preſented to him in the Courſe of Parliament, and alſo that he ſhewed himſelf diſpleaſed with thoſe that propounded the ſaid Bill: both which they declared to be againſt the Privileges of Parliament, and petitioned the King to give them Reparation againſt thoſe by whoſe evil Counſel he was induced to it, that they might receive condign Puniſhment.

B. This was cruel Proceeding. Do not the Kings of *England* uſe to ſit in the Lords Houſe when they pleaſe? and was not this Bill in Debate then in the Houſe of Lords? It is a ſtrange thing that a Man ſhould be lawfully in the Company of Men, where he muſt needs hear and ſee what they ſay and do; and yet muſt not take notice of it, ſo much as to the ſame Company: for though the King was not preſent at the Debate itſelf, yet it was lawful for any of the Lords to make him acquainted with it. Any one of the Houſe of Commons, though not preſent at a Propoſition or Debate in the Houſe, nevertheleſs hearing of it from ſome of his Fellow-members, may certainly not only take notice of it, but alſo ſpeak to it in the Houſe of Commons: but to make the King give up his Friends and Counſellors to them, to be put to Death, Baniſhment, or Impriſonment, for their good Will to him, was ſuch a Tyranny over a King, no King ever exerciſed over any Subject, but in Caſes of Treaſon and Murder, and ſeldom then.

A. Preſently hereupon began a kind of War between the Pens of the Parliament and thoſe of the Secretaries, and other able Men that were with the King; for upon the 15th of *December* they ſent to the King a Paper called, *A Remonſtrance of the State of the Kingdom*, and with it a Petition, both which they cauſed to be publiſhed. In the Remonſtrance they complained of certain miſchievous Deſigns of a malignant Party then, before the Beginning of the Parliament, grown ripe; and did ſet forth what Means had been uſed for the preventing of it by the Wiſdom of the Parliament, what Rubs they had found therein, what Courſe was fit to be taken for reſtoring and eſtabliſhing the ancient Honour, Greatneſs, and Safety of the Crown and Nation.

1ſt. And of theſe Deſigns the Promoters and Actors were, they ſaid, Jeſuited Papiſts.

2dly. The Biſhops, and that part of the Clergy that cheriſh Formality as a Support of their own Eccleſiaſtical Tyranny and Uſurpation.

3dly. Counſellors and Courtiers, that for private Ends (they ſaid) had engaged themſelves to farther the Intereſts of ſome Foreign Princes.

B. It may very well be that ſome of the Biſhops, and ſome of the Court may have, in Purſuit of their private Intereſt, done ſomething indiſcreetly, and perhaps wickedly; therefore I pray you tell me in particular what their Crimes were: for methinks the King ſhould not have connived at any thing againſt his own Supreme Authority.

A. The Parliament were not very keen againſt them that were againſt the King; they made no Doubt but all they did was by the King's Command, but accuſed thereof the Biſhops, Counſellors, and Courtiers, as being a more mannerly way of accuſing the King himſelf, and defaming him to his Subjects: for the Truth is, the Charge they brought againſt him was ſo general as not to be called an Accuſation, but Railing. At firſt, they ſaid they nouriſhed Queſtions of Prerogative and Liberty between the King and his People, to the end that ſeeming much addicted to his Majeſty's Service, they might get themſelves into Places of greateſt Truſt and Power in the Kingdom.

B. How could this be called an Accuſation, in which there is no Fact for any Accuſers to apply their Proofs to, or their Witneſſes: for granting that theſe Queſtions of Prerogative had been moved by them, who can prove that their End was to gain to themſelves and Friends the Places of Truſt and Power in the Kingdom?

A. A ſecond Accuſation was, That they endeavoured to ſuppreſs the Purity and Power of Religion.

B. That's Canting; it is not in Man's Power to ſuppreſs the Power of Religion.

A. They meant that they ſuppreſſed the Doctrine of the Preſbyterians, that is to ſay, the very Foundation of the then Parliament's treacherous Pretenſions.

A Third; That they cheriſhed *Arminians*, Papiſts, and Libertines, (by which they meant the common Proteſtants, who meddle not with Diſputes) to the end they might compoſe a Body fit to act according to their Counſels and Reſolutions.

A Fourth; That they endeavoured to put the King upon other Courſes of raiſing Money, than by the ordinary Way of Parliaments: Judge whether theſe may be properly called Accuſations, or not rather ſpiteful Reproaches of the King's Government.

B. Methinks this laſt was a very great Fault; for what good could there be in putting the King upon an odd Courſe of getting Money, when the Parliament was willing to ſupply him as far as to the Security of the Kingdom, or to the Honour of the King ſhould be neceſſary?

A. But I told you before they would give him none, but with a Condition he ſhould cut off the Heads of whom they pleaſed, how faithfully ſoever they had ſerved him: and if he would have ſacrificed all his Friends to their Ambition, yet they would have found other Excuſes for denying him Subſidies: for they were reſolved to take from him the Sovereign Power to themſelves, which they could never do without taking great Care that he ſhould have no Money at all. In the next place they put into the Remonſtrance, as Faults of them whoſe Counſel the King followed, all thoſe Things which ſince the Beginning of the King's Reign were by them miſliked, whether Faults or not, and whereof they were not able to judge for want of Knowledge of the Cauſes and Motives that induced the King to do them, and were known only to the King himſelf, and ſuch of his Privy-Council as he revealed them to.

B. But what were thoſe particular pretended Faults?

A. 1. The Diſſolution of his firſt Parliament at *Oxford*. 2. The Diſſolution of his ſecond Parliament, being in the ſecond Year of his Reign. 3. The Diſſolution of his Parliament in the fourth Year of his Reign. 4. The fruitleſs Expedition againſt *Calais.* 5. The Peace made with *Spain,* whereby the *Palatines* Cauſe was deſerted, and left to chargeable and hopeleſs Treaties. 6. The ſending of Commiſſions to raiſe Money by way of Loan. 7. Raiſing of Ship-money. 8 Enlargement of Foreſts contrary to *Magna Charta.* 9. The Deſign of engroſſing all the Gunpowder into one Hand, and keeping it in the Tower of *London.* 10. A Deſign to bring in the Uſe of Braſs Money. 11. The Fines, Impriſonments, Stigmatizings, Mutilations, Whippings, Pillories, Gags, Confinements and Baniſhments by Sentence in the Court of Star-Chamber. 12. The diſplacing of Judges. 13. Illegal Acts of the Council-Table. 14. The arbitrary and illegal Power of the Earl Marſhal's Court. 15. The Abuſes in Chancery, Exchequer Chamber, and Court of Wards. 16. The ſelling of Titles of Honour, of Judges and Serjeants Places, and other Offices. 17. The Inſolence of Biſhops and other Clerks in Suſpenſions, Excommunications, Deprivations and Degradations of divers painful, and learned, and pious Miniſters.

B. Were there any ſuch Miniſters degraded, deprived, or excommunicated?

A. I cannot tell; but I remember I have heard threatned divers painful, unlearned and ſeditious Miniſters. 18. The Exceſs of Severity of the High Commiſſion Court. 19. The preaching before the King againſt the Property of the Subject, and for the Prerogative of the King above the Law; and divers other petty Quarrels they had to the Government, which though they were laid upon this Faction, yet they knew they would fall upon the King himſelf in the Judgment of the People, to whom by printing it was communicated.

Again, after the Diſſolution of the Parliament, *May* the 5th 1640, they find other Faults; as, the Diſſolution itſelf; the impriſoning ſome Members of both Houſes; a forced Loan of Money attempted in *London*; the Continuance of the Convocation, when the Parliament was ended, and the Favour ſhewed to Papiſts by Secretary *Windebank* and others.

B. All this will go current with common People for Miſgovernment, and for Faults of the King, though ſome of them were Miſfortunes, and both the Miſfortunes and the Miſgovernment (if any were) were the Faults of the Parliament, who by denying to give him Money, did both fruſtrate his Deſigns abroad, and put him upon thoſe extraordinary Ways (which they call illegal) of raiſing Money at home.

A. You ſee what a Heap of Evils they have raiſed to make a Shew of ill Government to the People, which they ſecond with an Enumeration of the many Services they have done the King in overcoming a great many of them, though not all, and in divers other Things; and ſay, that though they had contracted a Debt to the *Scots* of 22000 l. and granted ſix Subſidies, and a Bill of Pole-money worth ſix Subſidies more, yet that God had ſo bleſſed the Endeavours of this Parliament, that the Kingdom was a Gainer by it: and then follows the Catalogue of thoſe good Things they had done for the King and Kingdom. For the Kingdom they had done (they ſaid) theſe Things. They had aboliſhed Ship-money; they had taken away Coat and Conduct-money, and other Military Charges, which they ſaid amounted to little leſs than the Ship-money. That they ſuppreſſed all Monopolies, which they reckoned above a Million yearly ſaved by the Subject. That they had quelled living Grievances, meaning evil Counſellors and Actors, by the Death of my Lord of *Strafford,* by the Flight of the Chancellor *Finch,* and of Secretary *Windebank,* by the Impriſonment of the Archbiſhop of *Canterbury,* and of Judge *Bartlet,* and the Impeachment of other Biſhops and Judges. That they had paſſed a Bill for a Triennial Parliament, and another for the Continuance of the preſent Parliament, till they ſhould think fit to diſſolve themſelves.

B. That is to ſay for ever if they be ſuffered. But the Sum of all theſe Things which they had done for the Kingdom is, that they had left it without Government, without Strength, without Money, without Law, and without good Counſel.

A. They reckoned alſo putting down of the High-Commiſſion, and the abating of the Power of the Council-Table, and of the Biſhops and their Courts; the taking away of unneceſſary Ceremonies in Religion; removing of Miniſters from their Livings, that were not of their Faction, and putting in ſuch as were.

B. All this was but their own, and not the Kingdom's Buſineſs.

A. The Good they had done the King was firſt (they ſaid) the giving of 25000 *l.* a Month for the Relief of the Northern Counties.

B. What need of Relief had the Northern more than the reſt of the Counties of *England*?

A. Yes; in the Northern Counties were quartered the *Scotch* Army, which the Parliament called in to oppoſe the King, and conſequently their Quarter was to be diſcharged.

B. True; but by the Parliament that called them in.

A. But they ſay no; and that this Money was given to the King, becauſe he is bound to protect his Subjects.

B. He is no farther bound to that, than they to give him Money wherewithal to do it. This is very great Impudence to raiſe an Army againſt the King, and with that Army to oppreſs their Fellow-Subjects, and then require that the King ſhould relieve them; that is to ſay, be at the Charge of paying the Army that was raiſed to fight againſt him.

A. Nay farther; They put to the King's Account the 300000 *l.* given to the *Scots*, without which they would not have invaded *England*; beſides many other Things that I now remember not.

B. I did not think there had been ſo great Impudence and Villainy in Mankind.

A. You have not obſerved the World long enough to ſee all that's ill. Such was their Remonſtrance, as I have told you: With it they ſent a Petition containing three Points. 1. That his Majeſty would deprive the Biſhops of their Votes in Parliament, and remove ſuch Oppreſſions in Religion, Church Government and Diſcipline, as they had brought in. 2. That he would remove from his Council all ſuch as ſhould promote the People's Grievances, and employ in his great and public Affairs ſuch as the Parliament ſhould confide in. 3. That he would not give away the Lands eſcheated to the Crown by the Rebellion in *Ireland*.

B. This laſt Point, methinks, was not wiſely put in at this Time, it ſhould have been reſerved, till they had ſubdued the Rebels, againſt whom there were yet no Forces ſent over. 'Tis like ſelling the Lion's Skin before they had killed him. But what Anſwer was made to the other two Propoſitions?

A. What Anſwer ſhould be made but a Denial? About the ſame time the King himſelf exhibited Articles againſt ſix Perſons of the Parliament, five whereof were of the Houſe of Commons, and one of the Houſe of Lords, accuſing them of High Treaſon, and upon the 4th of *January* went himſelf to the Houſe of Commons to demand thoſe five of them: but private Notice having been given by ſome treacherous Perſon about the King, they had abſented themſelves; and by that Means fruſtrated his Majeſty's Intentions; and after he was gone, the Houſe making a heinous Matter of it, and a high Breach of their Privileges, adjourned themſelves into *London*, there to ſit as a General Committee, pretending they were not ſafe at *Weſtminſter*; for the King when he went to the Houſe to demand thoſe Perſons, had ſomewhat more Attendance with him, (but not otherwiſe armed than his Servants uſed to be) than he ordinarily had: and would not be pacified, though the King did afterward wave the Proſecution of thoſe Perſons, unleſs he would alſo diſcover to them thoſe that gave him Counſel to go in that Manner to the Parliament Houſe, to the End they might receive condign Puniſhment, which was the Word they uſed inſtead of Cruelty.

B. This was a harſh Demand. Was it not enough that the King ſhould forbear his Enemies, but alſo that he muſt betray his Friends? If they thus tyrannize over the King, before they have gotten the Sovereign Power into their Hands; how will they tyrannize over their Fellow-Subjects, when they have gotten it?

A. So as they did.

B. How long ſtaid that Committee in *London*?

A. Not

A. Not above two or three Days, and then were brought from *London* to the Parliament Houſe by Water, in great Triumph, guarded with a tumultuous Number of armed Men, there to ſit in Security in deſpight of the King, and make traiterous Acts againſt him, ſuch, and as many as they liſted, and under Favour of theſe Tumults to frighten away from the Houſe of Peers all ſuch as were not of their own Faction. For at this Time the Rabble was ſo inſolent, that ſcarce any of the Biſhops durſt go to the Houſe, for fear of Violence upon their Perſons: inſomuch as twelve of them excuſed themſelves of coming thither; and by way of Petition to the King remonſtrated, That they were not permitted to go quietly to the Performance of that Duty, and proteſting againſt all Determinations, as of none Effect, that ſhould paſs in the Houſe of Lords during their forced Abſence; which the Houſe of Commons taking hold of, ſent up to the Peers one of their Members to accuſe them of High Treaſon; whereupon ten of them were ſent to the *Tower*, after which Time there were no more Words of their High Treaſon; but there paſſed a Bill by which they were deprived of their Votes in Parliament, and to this Bill they got the King's Aſſent: and in the Beginning of *September* after, they voted that the Biſhops ſhould have no more to do in the Government of the Church, but to this they had not the King's Aſſent, the War being now begun.

B. What made the Parliament ſo averſe to Epiſcopacy, and eſpecially the Houſe of Lords, whereof the Biſhops were Members? for I ſee no Reaſon why they ſhould do it to gratify a Number of poor Pariſh Prieſts, that were Preſbyterians, and that were never likely any Way to ſerve the Lords, but on the contrary to do their beſt to pull down their Power, and ſubject them to their Synods and Claſſes.

A. For the Lords, very few of them did perceive the Intention of the Preſbyterians; and beſides that, they durſt not (I believe) oppoſe the Lower Houſe.

B. But why were the Lower Houſe ſo earneſt againſt them?

A. Becauſe they meant to make uſe of their Tenants, and with pretended Sanctity to make the King and his Party odious to the People, by whoſe Help they were to ſet up Democracy, and depoſe the King, or to let him have the Title only ſo long as he ſhould act for their Purpoſes: but not only the Parliament, but in a Manner all the People of *England* were their Enemies upon the Account of their Behaviour, as being (they ſaid) too imperious. This was all that was colourably laid to their Charge; the main Cauſe of pulling them down, was the Envy of the Preſbyterians that incenſed the People againſt them, and againſt Epiſcopacy itſelf.

B. How would the Preſbyterians have the Church to be governed?

A. By National and Provincial Synods.

B. Is not this to make the National Aſſembly an Archbiſhop, and the Provincial Aſſemblies ſo many Biſhops?

A. Yes; but every Miniſter ſhall have the Delight of ſharing the Government, and conſequently of being able to be revenged on them that do not admire their Learning, and help to fill their Purſes, and win to their Service them that do.

B. It is a hard Caſe, that there ſhould be two Factions to trouble the Commonwealth, without any Intereſt in it of their own, other than every particular Man may have; and that their Quarrels ſhould be only about Opinions, that is, about who has the moſt Learning, as if their Learning ought to be the Rule of governing all the World. What is it they are learned in? Is it Politics and Rules of State? I know it is called Divinity, but I hear almoſt nothing preached but Matter of Philoſophy. For Religion in itſelf admits of no Controverſy. 'Tis a Law of the Kingdom, and ought not to be diſputed. I do not think they pretend to ſpeak with God, and know his Will, by any other Way than reading the Scriptures, which we alſo do.

A. Yes; ſome of them do, and give themſelves out for Prophets by extraordinary Inſpiration; but the reſt pretend only (for their Advancement to Benefices and Charge of Souls) a greater Skill in the Scriptures than other Men have, by reaſon of their Breeding in the Univerſities, and Knowledge there gotten of the *Latin* Tongue, and ſome alſo of the *Greek* and *Hebrew* Tongues, wherein the Scripture was written; beſides their Knowledge of Natural Philoſophy, which is here publicly taught.

B. As for the *Latin*, *Greek*, and *Hebrew* Tongues, it was once (to the Detection of *Roman* Fraud, and to the Ejection of the *Romiſh* Power) very profitable, or rather neceſſary; but now that is done, and we have the Scripture in *Engliſh*, and Preaching in *Engliſh*, I ſee no great Need of *Latin*, *Greek*, and *Hebrew*. I ſhould think myſelf better qualified by underſtanding well the Languages of our Neighbours, *French*, *Dutch*, and *Italian*. I think it was never ſeen in the World before the Power of Popes was ſet up, that Philoſophy was much conducing to Power in a Commonwealth.

A. But Philoſophy, together with Divinity, have very much conduced to the Advancement of the Profeſſors thereof to Places of the greateſt Authority, next to the Authority of Kings themſelves, in the ancient Kingdoms of the World, as is manifeſtly to be ſeen in the Hiſtory of thoſe Times.

B. I pray you cite me ſome of the Authors and Places.

A. Firſt, What were the *Druids* of old time in *Britany* and *France*? What Authority theſe had you may ſee in *Cæſar*, *Strabo*, and others, and eſpecially in *Diodorus Siculus*, the greateſt Antiquary perhaps that ever was, who ſpeaking of the *Druids* (which he calls *Sarovides*) in *France*, ſays thus: There be alſo amongſt them certain Philoſophers and Theologians, that are exceedingly honoured, whom they alſo uſe as Prophets; theſe Men by their Skill in Augury, and Inſpection into the Bowels of Beaſts ſacrificed, foretel what is to come, and have the Multitude obedient to them. And a little after: It is a Cuſtom amongſt them, that no Man may ſacrifice without a Philoſopher; becauſe (ſay they) Men ought not to preſent their Thanks to the Gods, but by them that know the Divine Nature, and are as it were of the ſame Language with them, and that all good things ought by ſuch as theſe to be prayed for.

B. I can hardly believe that thoſe *Druids* were very ſkilful, either in Natural Philoſophy or Moral.

A. Nor I; for they held and taught the Tranſmigration of Souls from one Body to another, as did *Pythagoras*; which Opinion, whether they took from him, or he from them, I cannot tell.

What were the *Magi* in *Perſia*, but Philoſophers and Aſtrologers? You know how they came to find our Saviour by the conduct of a Star, either from *Perſia* itſelf, or from ſome Country more Eaſtward than *Judea*. Were not theſe in great Authority in their Country? And are they not in moſt part of Chriſtendom thought to have been Kings?

Egypt hath been thought by many the moſt ancient Kingdom and Nation of the World, and their Prieſts had the greateſt Power in Civil Affairs, that any Subjects ever had in any Nation. And what were they but Philoſophers and Divines? Concerning whom the ſame *Diodorus Siculus* ſays thus: The whole Country (of *Egypt*) being divided into three Parts, the Body of the Prieſts have one, as being of moſt Credit with the People, both for their Devotion towards the Gods, and alſo for their Underſtanding gotten by Education. And preſently after: For generally theſe Men, in the greateſt Affairs of all, are the King's Counſellors, partly executing, and partly informing and adviſing; foretelling him alſo (by their Skill in Aſtrology, and Art in the Inſpection of Sacrifices) the Things that are to come, and reading to him out of their Holy Books, ſuch of the Actions there recorded as are profitable for him to know. 'Tis not there as in *Greece*, one Man or one Woman that has the Prieſthood, but they are many that attend the Honours and Sacrifices of the Gods, and leave the ſame Employment to their Poſterity, which next to the King hath the greateſt Power and Authority.

Concerning the Judicature amongſt the *Egyptians*, he ſaith thus: From out of the moſt eminent Cities, *Hieropolis*, *Thebes*, and *Memphis*, they chuſe Judges, which are a Council not inferior to that of *Areopagus* in *Athens*, or that of the Senate in *Lacedæmon*. When they are met, being in Number thirty, they chuſe one from amongſt themſelves to be Chief Juſtice; and the City, whereof he is, ſendeth another in his Place. This Chief Juſtice wore about his Neck, hung in a Gold Chain, a Jewel of precious Stones, the Name of which Jewel was Truth, which when the Chief Juſtice had put on, then began the Pleading, *&c.* and when the Judges had agreed on the Sentence, then did the Chief Juſtice put this Jewel of Truth to one of the Pleas. You ſee now what Power was acquir'd in Civil Matters by the Conjuncture of Philoſophy and Divinity.

Let us come now to the Commonwealth of the *Jews*. Was not the Prieſthood in a Family (namely the Levites) as well as the Prieſthood of *Egypt?* Did not the High Prieſt give Judgment by the Breaſt-plate of Urim and Thummim? Look upon the Kingdom of *Aſſyria*, and the Philoſophers and *Chaldeans*. Had they not Lands and Cities belonging to their Family, even in *Abraham*'s Time, who dwelt (you know) in *Ur* of the *Chaldeans*; of theſe the ſame Author ſays thus: The *Chaldeans* are a Sect in Politics like to that of the *Egyptian* Prieſts; for being ordained for the Service of the Gods, they ſpend the whole Time of their Life in Philoſophy, being of exceeding great Reputation in Aſtrology, and pretending much alſo to Prophecy, foretelling things to come by Purifications and Sacrifices, and to find out by certain Incantations the preventing of Harm, and the bringing to paſs Good. They have alſo Skill in Augury, and in the Interpretation of Dreams and Wonders, nor are they unskilful in the Art of foretelling by the Inwards of Beaſts ſacrificed, and have their Learning, not as the *Greeks*: for the Philoſophy of the *Chaldeans* goes to their Family by Tradition, and the Son receives it from his Father.

From *Aſſyria* let us paſs into *India*, and ſee what Eſteem the Philoſophers had there. The whole Multitude (ſays *Diodorus)* of the *Indians* is divided into ſeven Parts; whereof the firſt is the Body of Philoſophers, for Number the leaſt, but for Eminence the firſt; for they are free from Taxes, and as they are not Maſters of others, ſo are no others Maſters of them. By private Men they are called to the Sacrifices, and to the Care of Burials of the Dead, as being thought moſt beloved of the Gods, and ſkilful in the Doctrine concerning Hell, and for this Employment receive Gifts and Honours very conſiderable. They are alſo of great Uſe to the People of *India*; for being taken at the Beginning of the Year into the Great Aſſembly, they foretell them of great Droughts, great Rains, alſo of Winds and of Sickneſſes, and of whatſoever is profitable for them to know before-hand.

The ſame Author concerning the Laws of the *Ethiopians* ſaith thus: The Laws of the *Ethiopians* ſeem very different from thoſe of other Nations, and eſpecially about the Election of their Kings: for the Prieſts propound ſome of the chief Men amongſt them, named in a Catalogue, and whom the God (which according to a certain Cuſtom is carried about to Feaſtings) does accept of, him the Multitude elect for their King, and preſently adore and honour him as a God, put into the Government by Divine Providence. The King being choſen, he has the Manner of his Life limited to him by the Laws, and does all other Things according to the Cuſtom of the Country, neither rewarding, nor puniſhing any Man, otherwiſe than from the Beginning is eſtabliſhed amongſt them by Law; nor uſe they to put any Man to death, though he be condemned to it, but to ſend ſome Officer to him with a Token of Death; who ſeeing the Token, goes preſently to his Houſe, and kills himſelf preſently after: But the ſtrangeſt Thing of all is, that which they do concerning the Death of their Kings: for the Prieſts that live in *Meröe*, and ſpend their Time about the Worſhip and Honour of the Gods, and are in greateſt Authority; when they have a mind to it, ſend a Meſſenger to the King, to bid him die, for that the Gods have given ſuch Order, and that the Commandments of the Immortals are not by any Means to be neglected by thoſe that are by Nature mortal; uſing alſo other Speeches to him, which Men of ſimple Judgment, and that have not Reaſon enough to diſpute againſt thoſe unneceſſary Commands, as being educated in an old and undelible Cuſtom, are content to admit of. Therefore in former Times the Kings did obey the Prieſts, not as maſtered by Force and Arms, but as having their Reaſon maſtered by Superſtition. But in the Time of *Ptolemy* II. *Ergamenes*, King of the *Ethiopians*, having had his Breeding in Philoſophy after the Manner of the *Greeks*, being the firſt that durſt diſpute their Power, took Heart as befitted a King, came with Soldiers to a Place called *Abaton*, where was then the Golden Temple of the *Ethiopians*, killed all the Prieſts, aboliſhed the Cuſtom, and rectified the Kingdom according to his Will.

B. Though they that were killed were moſt damnable Impoſtors, yet the Act was cruel.

A. It was ſo: but were not the Prieſts cruel to cauſe their Kings, whom a little before they adored as Gods, to make away themſelves? The King killed them for the Safety of his Perſon; they him out of Ambition or Love of Change. The King's Act may be coloured with the Good of his People; the Prieſts had no Pretence againſt their Kings, who were certainly very godly, or elſe would never have obey'd the Command of the Prieſts by a Meſſenger unarmed, to kill themſelves. Our late King, the beſt King perhaps that ever was, you know, was murdered, having been firſt perſecuted by War, at the Incitement of Preſbyterian Miniſters, who are therefore guilty of the Death of all that fell in that War, which were, I believe, in *England*, *Scotland*, and *Ireland*, near 100,000 Perſons. Had it not been much better that thoſe ſeditious Miniſters, which were not perhaps 1000, had been all killed, before they had preached. It had been, I confeſs, a great Maſſacre, but the killing of 100,000 is a greater.

B. I am glad the Biſhops were out at this Buſineſs; as ambitious as ſome ſay they are, it did not appear in that Buſineſs, for they were Enemies to them that were in it.

A. But I intend not by thoſe Quotations to commend either the Divinity or the Philoſophy of thoſe heathen People; but to ſhew only what the Reputation of thoſe Sciences can effect among the People. For their Divinity was nothing but Idolatry, and their Philoſophy (excepting the Knowledge which the *Egyptian* Prieſts, and from them the *Chaldeans*, had gotten by long Obſervation and Study in Aſtronomy, Geometry, and Arithmetic) very little; and that in great part abuſed in Aſtrology and Fortune-telling. Whereas the Divinity of the Clergy in this Nation, conſidered apart from the Mixture (that has been introduced by the Church of *Rome*, and in part retained here) of the babbling Philoſophy of *Ariſtotle*, and other *Greeks*, that has no Affinity with Religion, and ſerves only to breed Diſaffection, Diſſention, and finally Sedition and Civil War, (as we have lately found by dear Experience, in the Differences between the Preſbyterians and Epiſcopals) is the true Religion: but for theſe Differences both Parties, as they came in Power, not only ſuppreſſed the Tenets of one another, but alſo whatſoever Doctrine look'd with an ill Aſpect upon their Intereſt, and conſequently all true Philoſophy, eſpecially Civil and Moral, which can never appear propitious to Ambition, or to an Exemption from their Obedience due to the Sovereign Power.

After the King had accuſed the Lord *Kimbolton*, a Member of the Lords Houſe, and *Hollis*, *Haſlerigg*, *Hampden*, *Pim* and *Stroud*, five Members of the Lower Houſe, of High Treaſon; and after the Parliament had voted out the Biſhops from the Houſe of Peers; they purſued eſpecially two Things in their Petitions to his Majeſty: The one was, That the King would declare who were the Perſons that adviſed him to go, as he did, to the Parliament Houſe, to apprehend them, and that he would leave them to the Parliament to receive condign Puniſhment; and this they did to ſtick upon his Majeſty the Diſhonour of deſerting his Friends, and betraying them to his Enemies. The other was, That he would allow them a Guard out of the City of *London*, to be commanded by the Earl of *Eſſex*; for which they pretended they could not elſe ſit in Safety: which Pretence was nothing but an upbraiding of his Majeſty for coming to Parliament better accompany'd than ordinary, to ſeize the ſaid five ſeditious Members.

B. I ſee no reaſon, in petitioning for a Guard, they ſhould determine it to the City of *London* in particular, and the Command by Name to the Earl of *Eſſex*; unleſs they meant the King ſhould underſtand it for a Guard againſt himſelf.

A. Their meaning was, that the King ſhould underſtand it ſo, and (as I verily believe) they meant he ſhould take it for an Affront: and the King himſelf unſtanding it ſo, deny'd to grant it; though he were willing, if they could not otherwiſe be ſatisfy'd, to command ſuch a Guard to wait upon them, as he would be reſponſible for to God Almighty. Beſides this, the City of *London* petitioned the King (put upon it, no doubt, by ſome Members of the Lower Houſe) to put the Tower of *London* into the Hands of Perſons of Truſt, meaning ſuch as the Parliament ſhould approve of, and to appoint a Guard for the Safety of his Majeſty and the Parliament. This Method of bringing Petitions in a tumultuous Manner by great Multitudes of clamorous People, was ordinary with the Houſe of Commons, whoſe Ambition could never have been ſerved by way of Prayer and Requeſt, without extraordinary Terror.

After the King had waved the Proſecution of the five Members, but denied to make known who had adviſed him to come in Perſon to the Houſe of Commons, they queſtion'd the Attorney-General, who, by the King's Command, had exhibited the Articles againſt them, and voted him a Breaker of the Privilege of Parliament, and no doubt had made him feel their Cruelty, if he had not ſpeedily fled the Land.

About the End of *January*, they made an Order of both Houſes of Parliament to prevent the going over of Popiſh Commanders into *Ireland*; not ſo much fearing that, as that by this the King himſelf chuſing his Commanders for that Service, might aid himſelf out of *Ireland* againſt the Parliament. But this was no great Matter in reſpect of a Petition they ſent his Majeſty about the ſame Time, that is to ſay, about the 27th or 28th of *January*, 1641, wherein they deſired in Effect the abſolute Sovereignty of *England*, though by the Name of Sovereignty they challenged it not, whilſt the King was living: For to the End that the Fears and Dangers of this Kingdom might be removed, and the miſchievous Deſigns of thoſe who are Enemies to the Peace of it, might be prevented, they pray; That his Majeſty would be pleaſed to put forthwith, 1. The Tower of *London*; 2. All other Forts; 3. The whole Militia of the Kingdom, into the Hands of ſuch Perſons as ſhould be recommended to him by both the Houſes of Parliament. And this they ſtile a neceſſary Petition.

B. Were there really any ſuch Fears and Dangers generally conceived here? or did there appear any Enemies at that Time with ſuch Deſigns as are mentioned in the Petition?

A. Yes: but no other fear of Danger, but ſuch as any diſcreet and honeſt Man might juſtly have of the Deſigns of the Parliament itſelf, who were the grearest Enemies to the Peace of the Kingdom that could poſſibly be. 'Tis alſo worth obſerving, that this Petition began with theſe Words, *Moſt Gracious Sovereign:* So ſtupid they were as not to know, that he that is Maſter of the Militia, is Maſter of the Kingdom, and conſequently is in Poſſeſſion of a moſt abſolute Sovereignty. The King was now at *Windſor*, to avoid the Tumults of the Common People before the Gates of *Whitehall*, together with their Clamours and Affronts there. The 9th of *February* after he came to *Hampton-Court*, and thence he went to *Dover* with the Queen and the Princeſs of *Orange*, his Daughter, where the Queen with the Princeſs of *Orange* embarked for *Holland*; but the King returned to *Greenwich*, whence he ſent for the Prince of *Wales* and the Duke of *York*, and ſo went with them towards *York*.

B. Did the Lords join with the Commons in this Petition for the Militia?

A. It appears ſo by the Title: but I believe they durſt not but do it. The Houſe of Commons took them for a Cypher; Men of Title only, without real Power. Perhaps alſo the moſt of them thought, that the taking of the Militia from the King would be an Addition to their own Power; but they were very much miſtaken, for the Houſe of Commons never intended they ſhould be Sharers in it.

B. What Anſwer made the King to this Petition?

A. That when he ſhall know the Extent of Power, which is intended to be eſtabliſhed in thoſe Perſons, whom they deſire to be the Commanders of the Militia in the ſeveral Counties, and likewiſe to what Time it ſhall be limited, That no Power ſhall be executed by his Majeſty alone without the Advice of Parliament; then he will declare, that (for the ſecuring them from all Dangers or Jealouſies of any) his Majeſty will be content to put into all the Places, both Forts and Militia in the ſeveral Counties, ſuch Perſons as both the Houſes of Parliament ſhall either approve, or recommend unto him; ſo that they declare before unto his Majeſty the Names of the Perſons whom they approve or recommend; unleſs ſuch Perſons ſhall be named, againſt whom he ſhall have juſt and unqueſtionable Exceptions.

B. What Power, for what Time, and to whom, did the Parliament grant, concerning the Militia?

A. The ſame Power which the King had before planted in his Lieutenants and Deputy-Lieutenants in the ſeveral Counties, and without other Limitation of Time but their own Pleaſure.

B. Who were the Men that had this Power?

A. There is a Catalogue of them printed. They are very many, and moſt of them Lords; nor is it neceſſary to have them named: for to name them is, in my Opinion, to brand them with the Mark of Diſloyalty, or of Folly. When they had made a Catalogue of them, they ſent it to the King with a new Petition for the Militia: Alſo preſently after they ſent a Meſſage to his Majeſty, praying him to leave the Prince at *Hampton-Court*; but the King granted neither.

B. Howſoever it was well done of them to get Hoſtages (if they could) of the King before he went from them.

A. In the mean Time, to raiſe Money for the reducing of *Ireland*, the Parliament invited Men to bring in Money by way of Adventure, according to theſe Propoſitions. 1. That two millions and five hundred thouſand Acres of Land in *Ireland* ſhould be aſſigned to the Adventurers in this Propoſition.

	l.	
For an Adventure of	200	1000 Acres in *Ulſter*.
	300	1000 Acres in *Conaught*.
	450	1000 Acres in *Munſter*.
	600	1000 Acres in *Leinſter*.

All according to *Engliſh* Meaſure, and conſiſting of Meadow, Arable, and profitable Paſture; Boggs, Woods, and barren Mountains being caſt in over and above. 2. A Revenue was reſerved to the Crown from 1 *d.* to 3 *d.* on every Acre. 3. That Commiſſions ſhould be ſent by the Parliament to erect Manors, ſettle Waſtes and Commons, maintain preaching Miniſters, to create Corporations, and to regulate Plantations. The reſt of the Propoſitions concern only the Times and Manner of Payment of the Sums ſubſcribed by the Adventurers. And to theſe Propoſitions his Majeſty aſſented; but to the Petition of the Militia his Majeſty denied his Aſſent.

B. If he had not, I ſhould have thought it a great Wonder. What did the Parliament after this?

A. They ſent him another Petition, which was preſented to him when he was at *Theobalds*, in his Way to *York*; wherein they tell him plainly, That unleſs he be pleaſed to aſſure them by thoſe Meſſengers then ſent, that he would ſpeedily apply his Royal Aſſent to the Satisfaction of their former Deſires, they ſhall be enforced, for the Safety of his Majeſty and his Kingdoms, to diſpoſe of the Militia by the Authority of both Houſes, *&c.* They petition his Majeſty alſo to let the Prince ſtay at St. *James*'s, or ſome other of his Majeſty's Houſes near *London.* They tell him alſo, that the Power of raiſing, ordering, and diſpoſing of the Militia cannot be granted to any Corporation without the Authority and Conſent of

Parliament, and thoſe Parts of the Kingdom, which have put themſelves into a Poſture of Defence, have done nothing therein, but by Direction of both Houſes, and what is juſtifiable by the Laws of this Kingdom.

B. What Anſwer made the King to this?

A. It was a putting of themſelves into Arms, and under Officers ſuch as the Parliament ſhould approve of. 4. They voted, That his Majeſty ſhould be again deſired that the Prince might continue about *London*. Laſtly, They voted a Declaration to be ſent to his Majeſty by both the Houſes; wherein they accuſe his Majeſty of a Deſign of altering Religion, though not directly him, but them that counſelled him; whom they alſo accuſed of being the Inviters and Fomenters of the *Scotch* War, and Framers of the Rebellion in *Ireland*; and upbraid the King again for accuſing the Lord *Kimbolton*, and the five Members, and of being privy to the Purpoſe of bringing up his Army, which was raiſed againſt the *Scots*, to be employed againſt the Parliament. To which his Majeſty ſent his Anſwer from *Newmarket*. Whereupon it was reſolved by both Houſes, that in this Caſe of extream Danger, and of his Majeſty's Refuſal, the Ordinance agreed upon by both Houſes for the Militia, doth oblige the People by the fundamental Laws of this Kingdom; and alſo, that whoſoever ſhall excute any Power over the Militia, by colour of any Commiſſion of Lieutenancy, without Conſent of both Houſes of Parliament, ſhall be accounted a Diſturber of the Peace of the Kingdom. Whereupon his Majeſty ſent a Meſſage to both Houſes from *Huntingdon*, requiring Obedience to the Laws eſtabliſhed, and prohibiting all Subjects, upon Pretence of their Ordinance, to execute any thing concerning the Militia, which is not by thoſe Laws warranted. Upon this the Parliament vote a Standing to their former Votes; as alſo, that when the Lords and Commons in Parliament, which is the Supreme Court of Judicature in the Kingdom, ſhall declare what the Law of the Land is; to have this not only queſtion'd, but contradicted, is a high Breach of the Privilege of Parliament.

B. I thought that he that makes the Law, ought to declare what the Law is; for what is it elſe to make a Law, but to declare what it is? So that they have taken from the King, not only the Militia, but alſo the Legiſlative Power.

A. They have ſo; but I make account that the Legiſlative Power (and indeed all Power poſſible) is contained in the Power of the Militia. After this they ſeize ſuch Money as was due to his Majeſty upon the Bill of Tonnage and Poundage, and upon the Bill of Subſidies, that they might diſable him every Way they poſſibly could. They ſent him alſo many other contumelious Meſſages and Petitions, after his coming to *York*: amongſt which one was; That whereas the Lord Admiral, by Indiſpoſition of Body, could not command the Fleet in Perſon, he would be pleaſed to give Authority to the Earl of *Warwick* to ſupply his Place; when they knew the King had put Sir *John Pennington* in it before.

B. To what End did the King entertain ſo many Petitions, Meſſages, Declarations and Remonſtrances, and vouchſafe his Anſwers to them, when he could not chuſe but clearly ſee, they were reſolv'd to take from him his Royal Power, and conſequently his Life? For it could not ſtand with their Safety to let either him or his Iſſue live, after they had done him ſo great Injuries.

A. Beſides this, the Parliament had at the ſame Time a Committee reſiding at *York*, to ſpy what his Majeſty did, and to inform the Parliament thereof, and alſo to hinder the King from gaining the People of that County to his Party: So that when his Majeſty was courting the Gentlemen there, the Committee was inſtigating of the Yeomanry aginſt him. To which alſo the Miniſters did very much contribute: So that the King loſt his Opportunity at *York*.

B. Why did not the King ſeize the Committee into his Hands, or drive them out of Town?

A. I know not: But I believe he knew the Parliament had a greater Party than he, not only in *Yorkſhire*, but alſo in *York*.

Towards the End of *April*, the King, upon Petition of the People of *Yorkſhire*, to have the Magazine of *Hull*, to remain ſtill there, for the greater Security of the Northern Parts, thought fit to take it into his own Hands. He had a little before appointed Governor of that Town the Earl of *Newcaſtle*; but the Townſmen having been already corrupted by the Parliament, refuſed to receive him, but refuſed not to receive Sir *John Hotham*, appointed to be Governor by the Parliament. The King therefore coming unto the Town, guarded only by his own Servants, and a few Gentlemen of the Country thereabouts, was denied Entrance by Sir *John Hotham* that ſtood upon the Wall, for which Act he preſently cauſed Sir *John Hotham* to be proclaimed a Traitor, and ſent a Meſſage to the Parliament, requiring Juſtice to be done upon the ſaid *Hotham*, and that the Town and Magazine might be delivered into his Hands. To which the Parliament made no Anſwer, but inſtead thereof publiſhed another Declaration, in which they omitted nothing of their former Slanders againſt his Majeſty's Government, but inſerted certain Propoſitions declarative of their own pretended Right, *viz.* 1. That whatſoever they declare to be Law, ought not to be queſtioned by the King. 2. That no Precedents can be Limits to bound their Proceedings. 3. That a Parliament for the public Good may diſpoſe of any Thing, wherein the King or Subject hath a Right; and that they, without the King, are this Parliament, and the Judge of this public Good, and that the King's Conſent is not neceſſary. 4. That no Member of either Houſe ought to be troubled for Treaſon, Felony, or any other Crime, unleſs the Cauſe be firſt brought before the Parliament, that they may judge of the Fact, and give leave to proceed, if they ſee Cauſe. 5. That the Sovereign Power reſides in both Houſes, and that the King ought to have no negative Voice. 6. That the levying of Forces againſt the perſonal Commands of the King, (though accompanied with his Preſence) is not levying War againſt the King; but the levying of War againſt his politic Perſon, *viz.* his Laws, *&c.* 7. That Treaſon cannot be committed againſt his Perſon, otherwiſe than as he is intruſted with the Kingdom, and diſcharges that Truſt; and that they have a Power to judge whether he have diſcharged this Truſt or not. 8. That they may diſpoſe of the King when they will.

B. This is plain Dealing, and without Hypocriſy. Could the City of *London* ſwallow this?

A. Yes; and more too, if need be. *London*, you know has a great Belly, but no Palate, nor Taſte of Right and Wrong. In the Parliament Roll of *Henry* IV. amongſt the Articles of the Oath the King at his Coronation took, there is one runs thus: *Concedes juſtas Leges & Conſuetudines eſſe tenendas; & promittes per te eas eſſe protegendas, & ad honorem Dei corroborandas, quas vulgus elegerit.* Which the Parliament urged for the Legiſlative Authority, and therefore interpret *quas vulgus elegerit*, which the People ſhall chuſe; as if the King ſhould ſwear to protect and corroborate Laws, before they were made, whether they be good or bad; whereas the Words ſignify no more, but that he ſhall protect and corroborate ſuch Laws as they have choſen, that is to ſay, the Acts of Parliament then in being. And in the Records of the Exchequer it is thus: *Will you grant to hold and keep the Laws and rightful Cuſtoms which the Commonalty of this your Kingdom have, and will you defend and uphold them?* &c. And this was the Anſwer his Majeſty made to that Point.

B. And I think this Anſwer very full and clear: but if the Words were to be interpreted in the other Senſe, yet I ſee no Reaſon why the King ſhould be bound to ſwear to them: for *Henry* IV. came to the Crown by the Votes of a Parliament, not much inferior in Wickedneſs to this long Parliament, that depoſed and murdered their lawful King; ſaving that it was not the Parliament itſelf, but the Uſurper that murdered King *Richard* II.

A. About a Week after, in the Beginning of *May*, the Parliament ſent the King another Paper, which they ſtiled the humble Petition and Advice of both Houſes, containing 19 Propoſitions; which when you ſhall hear, you ſhall be able to judge what Power they meant to leave to the King, more than to any one of his Subjects. The firſt of them is this:

1. That the Lords, and others of his Majeſty's Privy-Council, and all great Officers of State, both at home and abroad, be put from their Employments, and from his Council; ſave only ſuch as ſhould be approved of by both Houſes of Parliament, and none put into their Places, but by Approbation of the ſaid Houſes. And that all Privy-Councellors take an Oath for the due Execution of their Places, in ſuch Form as ſhall be agreed upon by the ſaid Houſes.

2. That the great Affairs of the Kingdom be debated, reſolved and tranſacted only in Parliament; and ſuch as ſhall preſume to do any thing to the contrary, be reſerved to the Cenſure of the Parliament, and ſuch other Matters of State, as are proper for his Majeſty's Privy-Council, ſhall be debated, and concluded by ſuch as ſhall from time to time be choſen for that Place by both Houſes of Parliament; and that no public Act concerning the Affairs of the Kingdom, which are proper for his Privy-Council, be eſteemed valid, as proceeding from the Royal Authority, unleſs it be done by the Advice and Conſent of the major Part of the Council, atteſted under their Hands: and that the Council be not more than 25, or leſs than 15; and that when a Councellor's Place falls void in the Interval of Parliament, it ſhall not be ſupplied without the Aſſent of the major Part of the Council; and that ſuch Choice alſo ſhall be void, if the next Parliament after confirm it not.

3. That the Lord High Steward of *England*, Lord High Conſtable, Lord Chancellor, or Keeper of the Great Seal, Lord Treaſurer, Lord Privy-Seal, Earl-Marſhal, Lord Admiral, Warden of the Cinque Ports, Chief Governor of *Ireland*, Chancellor of the Exchequer, Maſter of the Wards, Secretaries of States, two Chief Juſtices and Chief Baron, be always choſen with the Approbation of both Houſes of Parliament, and in the Intervals of Parliament, by the major Part of the Privy-Council.

4. That the Government of the King's Children ſhall be committed to ſuch as both Houſes ſhall approve of, and in the Intervals of Parliament, ſuch as the Privy-Council ſhall approve of; that the Servants then about them, againſt whom the Houſes have juſt Exception, ſhould be removed.

5. That no Marriage be concluded or treated of for any of the King's Children, without Conſent of Parliament.

6. That the Laws in Force againſt Jeſuits, Prieſts, and Popiſh Recuſants, be ſtrictly put in Execution.

7. That the Votes of Popiſh Lords in the Houſe of Peers be taken away, and that a Bill be paſſed for the Education of the Children of Papiſts in the Proteſtant Religion.

8. That the King will be pleaſed to reform the Church Government and Liturgy, in ſuch manner as both Houſes of Parliament ſhall adviſe.

9. That he would be pleaſed to reſt ſatisfied with that Courſe that the Lords and Commons have appointed for ordering the Militia, and recall his Declarations and Proclamations againſt it.

10. That ſuch Members as have been put out of any Place or Office, ſince this Parliament began, may be reſtored, or have Satisfaction.

11. That all Privy-Councellors and Judges take an Oath, the Form whereof ſhall be agreed on, and ſettled by Act of Parliament for the maintaining the Petition of Right, and of certain Statutes made by the Parliament.

12. That all the Judges and Officers placed by Approbation of both Houſes of Parliament, may hold their Places *quam diu bene ſe geſſerint*.

13. That the Juſtice of Parliament may paſs upon all Delinquents, whether they be within the Kingdom, or fled out of it; and that all Perſons cited by either Houſe of Parliament may appear and abide the Cenſure of Parliament.

14. That the general Pardon offered by his Majeſty be granted with ſuch Exceptions, as ſhall be adviſed by both Houſes of Parliament.

B. What a ſpiteful Article was this! All the reſt proceeded from Ambition, which many times well-natured Men are ſubject to; but this proceeded from an inhuman and deviliſh Cruelty.

A. 15. That the Forts and Caſtles be put under the Command of ſuch Perſons, as, with the Approbation of the Parliament, the King ſhall appoint.

16. That the extraordinary Guards about the King be diſcharged; and for the future none raiſed, but according to the Law in caſe of actual Rebellion, or Invaſion.

B. Methinks theſe very Propoſitions ſent to the King are an actual Rebellion.

A. 17. That his Majeſty enter into a more ſtrict Alliance with the United Provinces, and other neighbouring Proteſtant Princes and States.

18. That his Majeſty be pleaſed, by Act of Parliament, to clear the Lord *Kimbolton*, and the five Members of the Houſe of Commons, in ſuch Manner as that future Parliaments may be ſecured from the Conſequence of that evil Precedent.

19. That his Majeſty be pleaſed to paſs a Bill for reſtraining Peers made hereafter, from ſitting or voting in Parliament, unleſs they be admitted with Conſent of both Houſes of Parliament.

Theſe Propoſitions granted; they promiſe to apply themſelves to regulate his Majeſty's Revenue to his beſt Advantage, and to ſettle it to the Support of his Royal Dignity in Honour and Plenty; and alſo to put the Town of *Hull* into ſuch Hands as his Majeſty ſhall appoint, with Conſent of Parliament.

B. Is not that to put it into ſuch Hands as his Majeſty ſhall appoint by the Conſent of the Petitioners, which is no more than to keep it in their Hands as it is? Did they want, or think the King wanted common Senſe, ſo as not to perceive that their Promiſe herein was worth nothing?

A. After the ſending of theſe Propoſitions to the King, and his Majeſty's Refuſal to grant them, they began, on both Sides, to prepare for War. The King raiſed a Guard for his Perſon in *Yorkſhire*, and the Parliament thereupon having voted, that the King intended to make War upon his Parliament, gave Order for the muſtering and exerciſing the People in Arms, and publiſhed Propoſitions to invite and encourage them to bring in either ready Money or Plate, or to promiſe under their Hands to furniſh and maintain certain Numbers of Horſe, Horſemen, and Arms, for the Defence of the King and Parliament, (meaning by King, as they had formerly declar'd, not his Perſon, but his Laws) promiſing to repay their Money with Intereſt of 8 *l.* in the 100 *l.* and the Value of their Plate, with 12 *d.* the Ounce for the Faſhion. On the other ſide the King came to *Nottingham*, and there did ſet up his Standard Royal, and ſent out Commiſſions of Array, to call thoſe to him, which by the ancient Laws of *England* were bound to ſerve him in the Wars. Upon this Occaſion there paſſed divers Declarations between the King and Parliament, concerning the Legality of this Array, which are too long to tell you at this Time.

B. Nor do I deſire to hear any Mooting about this Queſtion: for I think that general Law of *Salus Populi*, and the Right of defending himſelf, againſt thoſe that had taken from him the Sovereign Power, are ſufficient to make legal whatſoever he ſhould do, in order to the Recovery of his Kingdom, or to the puniſhing of the Rebels.

A. In the mean time the Parliament raiſed an Army, and made the Earl of *Eſſex* General thereof; by which Act they declared what they meant formerly, when they petitioned the King for a Guard to be commanded by the ſaid Earl of *Eſſex*; and now the King ſends out his Proclamations, forbidding Obedience to the Orders of the Parliament concerning the Militia; and the Parliament ſend out Orders againſt the Execution of the Commiſſions of Array. Hitherto, though it were a War before, yet there was no Blood ſhed; they ſhot at one another nothing but Paper.

B. I underſtand now how the Parliament deſtroy'd the Peace of the Kingdom; and how eaſily, by the Help of ſeditious Preſbyterian Miniſters, and of ambitious ignorant Orators, they reduced this Government into Anarchy: but I believe it will be a harder Taſk for them to bring in Peace again, and ſettle the Government either in themſelves, or any other Governor or Form of Government. For granting that they obtained the Victory in this War, they muſt be beholden for it to the Valour, good Conduct, or Felicity of thoſe to whom they give the Command of their Armies; eſpecially to the General, whoſe good Succeſs will, without doubt, draw with it the Love and Admiration of the Soldiers; ſo that it will be in his Power, either to take the Government upon himſelf, or to place it where himſelf thinks good. In which caſe, if he take it not to himſelf, he will be thought a Fool; and if he do, he ſhall be ſure to have the Envy of his ſubordinate Commanders, who look for a Share, either in the preſent Government, or in the Succeſſion to it: for they will ſay, Has he obtained this Power by his own, without our Danger, Valour and Counſel? and muſt we be his Slaves, whom we have thus raiſed? or is not there as much Juſtice on our Side againſt him, as was on his Side againſt the King?

A. They will, and did; inſomuch that the Reaſon why *Cromwell*, after he had gotten into his own Hands the abſolute Power of *England*, *Scotland*, and *Ireland*, by the Name of Protector, did never dare to take upon him the Title of King, nor was ever able to ſettle it upon his Children. His Officers would not ſuffer it, as pretending after his Death to ſucceed him; nor would the Army conſent to it, becauſe he had ever declared to them, againſt the Government of a ſingle Perſon.

B. But to return to the King. What Means had he to pay; what Proviſion had he to arm; nay, to levy an Army, able to reſiſt the Army of the Parliament, maintained by the great Purſe of the City of *London*, and Contributions of almoſt all the Towns Corporate in *England*, and furniſhed with Arms as fully as they could require?

A. 'Tis true, the King had great Diſadvantages, and yet by little and little he got a conſiderable Army, with which he ſo proſpered, as to grow ſtronger every Day, and the Parliament weaker, till they had gotten the *Scots*, with an Army of 21,000 Men, to come into *England* to their Aſſiſtance. But to enter into the particular Narration of what was done in the War, I have not now Time.

B. Well then, we will talk of that at next meeting.

BEHEMOTH.

PART III.

B. WE left at the Preparations on both Sides for War: which when I conſidered by myſelf, I was mightily puzzled to find out what Poſſibility there was for the King to equal the Parliament in ſuch a Courſe; and what Hopes he had of Money, Men, Arms, fortified Places, Shipping, Council, and Military Officers, ſufficient for ſuch an Enterprize againſt the Parliament, that had Men and Money as much at command, as the City of *London*, and other Corporation Towns were able to furniſh, which was more than they needed. And for the Men they ſhould ſet forth for Soldiers, they were almoſt all of them ſpightfully bent againſt the King and his whole Party, whom they took to be either Papiſts, or Flatterers of the King, or that had deſigned to raiſe their Fortunes by the Plunder of the City, and other Corporation Towns. And though I believe not that they were more valiant than other Men, nor that they had ſo much Experience in the War, as to be accounted good Soldiers,

diers; yet they had that in them, which in time of Battle is more conducing to Victory than Valour and Experience both together, and that was Spight.

And for Arms, they had in their Hands the chief Magazines, the Tower of *London*, and the Town of *Kingſton* upon *Hull*, beſides moſt of the Powder and Shot that lay in ſeveral Towns, for the Uſe of the Train'd Bands.

Fortified Places there were not many then in *England*, and moſt of them in the Hands of the Parliament.

The King's Fleet was wholly in their Command under the Earl of *Warwick*.

Counſellors they needed no more than ſuch as were of their own Body; ſo that the King was every way inferior to them, except it were perhaps in Officers.

A. I cannot compare their Chief Officers. For the Parliament, the Earl of *Eſſex* (after the Parliament had voted the War) was made General of all their Forces, both in *England* and *Irleand*, from whom all other Commanders were to receive their Commiſſions.

B. What moved them to make General the Earl of *Eſſex*? And for what Cauſe was the Earl of *Eſſex* ſo diſpleaſed with the King, as to accept that Office?

A. I do not certainly know what to anſwer to either of thoſe Queſtions: But the Earl of *Eſſex* had been in the Wars Abroad, and wanted neither Experience, Judgment, nor Courage, to perform ſuch an Undertaking. And beſides that, you have heard, I believe, how great a Darling of the People his Father had been before him, and what Honour he had gotten by the Succeſs of his Enterprize upon *Cales*, and in ſome other Military Actions. To which I may add, that this Earl himſelf was not held by the People to be ſo great a Favourite at Court, as that they might not truſt him with their Army againſt the King. And by this you may perhaps conjecture the Cauſe for which the Parliament made Choice of him for General.

B. But why did they think him diſcontented with the Court?

A. I know not that; nor indeed that he was ſo. He came to the Court as other Noblemen did, when Occaſion was, to wait upon the King, but had no Office, till a little before this Time, to oblige him to be there continually: but I believe verily, that the Unfortunateneſs of his Marriages had ſo diſcountenanced his Converſation with the Ladies, that the Court could not be his proper Element, unleſs he had ſome extraordinary Favour there to balance that Calamity: but for particular Diſcontent from the King, or Intention of Revenge for any ſuppoſed Diſgrace, I think he had none, nor that he was any ways addicted to Preſbyterian Doctrines, or other Fanatic Tenets in Church or State; ſaving only, that he was carried away with the Stream (in a manner) of the whole Nation, to think that *England* was not an abſolute, but a mixt Monarchy: not conſidering that the ſupreme Power muſt always be abſolute, whether it be in the King, or in the Parliament.

B. Who was the General of the King's Army?

A. None yet, but himſelf; nor indeed had he yet any Army; but there coming to him at that Time his two Nephews, the Princes *Rupert* and *Maurice*, he put the Command of his Horſe into the Hands of Prince *Rupert*, a Man, than whom no Man living has a better Courage, nor was more active and diligent in proſecuting his Commiſſions; and though but a young Man then, was not without Experience in the conducting of Soldiers; as having been an Actor in part of his Father's Wars in *Germany*.

B. But how could the King find Money to pay ſuch an Army as was neceſſary for him againſt the Parliament?

A. Neither the King nor Parliament had much Money at that Time, in their own Hands, but were fain to rely upon the Benevolence of thoſe that took their Parts. Wherein, I confeſs, the Parliament had a mighty great Advantage. Thoſe that helped the King in that kind were only Lords and Gentlemen, which not approving the Proceedings of the Parliament, were willing to undertake the Payment every one of a certain Number of Horſe, which cannot be thought any very great Aſſiſtance, the Perſons that payed them being ſo few: for other Moneys that the King then had, I have not heard of any, but what he borrowed upon Jewels in the *Low Countries.* Whereas the Parliament had a very plentiful Contribution, not only from *London*, but generally from their Faction in all other Places of *England*, upon certain Propoſitions (publiſhed by the Lords and Commons in *June* 1642, at what Time they had newly voted, that the King intended to make War upon them) for bringing in of Money or Plate to maintain Horſe and Horſemen, and to buy Arms for the Preſervation of the public Peace, and for the Defence of the King, and both Houſes of Parliament: for the Repayment of which Money and Plate they were to have the public Faith.

B. What public Faith is there, when there is no Public? What is it that can be called Public in a Civil War without the King?

A. The Truth is, the Security was nothing worth, but ſerved well enough to gull thoſe ſeditious Blockheads, that were more fond of Change, than either of their Peace or Profit.

Having by this Means gotten Contributions from thoſe that were well-affected to their Cauſe, they made Uſe of it afterwards to force the like Contribution from others: for in *November* following they made an Ordinance for aſſeſſing alſo of thoſe, that had not contributed then, or had contributed, but not proportionably to their Eſtates. And yet this was contrary to what the Parliament promiſed and declared in the Propoſitions themſelves; for they declared in the firſt Propoſition, That no Man's Affection ſhould be meaſured by the Proportion of his Offer, ſo that he expreſſed his good Will to the Service in any Proportion whatſoever.

Beſides this, in the Beginning of *March* following, they made an Ordinance to levy weekly a great Sum of Money upon every County, City, Town, Place and Perſon of any Eſtate almoſt in *England*; which weekly Sum (as may appear by the Ordinance itſelf, printed and publiſhed in *March* 1642, by Order of both Houſes) comes to almoſt 33,000 *l.* and conſequently to above 1,700,000 *l.* for the Year. They had beſides all this, the Profits of the King's Lands and Woods, and whatſoever was remaining unpaid of any Subſidy formerly granted him, and the Tonnage and Poundage uſually received by the King; beſides the Profit of the Sequeſtrations of great Perſons, whom they pleaſed to vote Delinquents, and the Profits of the Biſhops Lands, which they took to themſelves a Year or a little more after.

B. Seeing then the Parliament had ſuch Advantage of the King in Money, and Arms, and Multitude of Men, and had in their Hands the King's Fleet; I cannot imagine what Hope the King could have, either of Victory, (unleſs he reſigned into their Hands the Sovereignty) or ſubſiſting: For I cannot well believe he had any Advantage of them, either in Councellors, Conductors, or in the Reſolutions of his Soldiers.

A. On the contrary, I think he had alſo ſome Diſadvantage in that: For though he had as good Officers, at leaſt, as any then ſerved the Parliament, yet I doubt he had not ſo uſeful Counſel as was neceſſary; and for his Soldiers, though they were Men as ſtout as theirs, yet becauſe their Valour was not ſharpened ſo with Malice, as theirs was of the other Side, they fought not ſo keenly as their Enemies did: Amongſt whom there were a great many *London* Apprentices, who for want of Experience in the War, would have been fearful enough of Death and Wounds approaching viſibly in gliſtering Swords; but for want of Judgment, ſcarce thought of ſuch Death as comes inviſibly in a Bullet, and therefore were very hardly to be driven out of the Field.

B. But what Fault do you find in the King's Councellors, Lords, and other Perſons of Quality and Experience?

A. Only that Fault, which was generally in the whole Nation, which was, that they thought the Government of *England* was not abſolute, but a mixt Monarchy; and that if the King ſhould clearly ſubdue this Parliament, that his Power would be what he pleaſed, and theirs as little as he pleaſed, which they counted

Tyranny. This Opinion, though it did not leſſen their Endeavour to gain the Victory for the King in a Battle, when a Battle could not be avoided, yet it weakened their Endeavour to procure him an abſolute Victory in the War. And for this Cauſe, notwithſtanding that they ſaw that the Parliament was firmly reſolv'd to take all Kingly Power whatſoever out of his Hands; yet their Counſel to the King was upon all Occaſions, to offer Propoſitions to them of Treaty and Accommodation, and to make and publiſh Declarations, which any Man might eaſily have foreſeen would be fruitleſs; and not only ſo, but alſo of great Diſadvantage to thoſe Actions by which the King was to recover his Crown, and preſerve his Life: For it took off the Courage of the beſt and forwardeſt of his Soldiers, that looked for great Benefit by their Service out of the Eſtates of the Rebels, in caſe they ſhould ſubdue them; but none at all if the Buſineſs ſhould be ended by a Treaty.

B. And they had Reaſon: For a Civil War never ends by Treaty without the Sacrifice of thoſe, who were on both Sides the ſharpeſt. You know well enough how things paſs'd at the Reconciliation of *Auguſtus* and *Antonius* in *Rome*: But I thought, that after they once began to levy Soldiers one againſt another, that they would not any more have return'd of either Side to Declarations, or other Paper War, which if it could have done any Good, would have done it long before this.

A. But ſeeing the Parliament continued writing, and ſet forth their Declarations to the People againſt the Lawfulneſs of the King's Commiſſion of Array, and ſent Petitions to the King, as fierce and rebellious as ever they had done before, demanding of him, That he would diſband his Soldiers, and come up to the Parliament, and leave thoſe whom the Parliament called Delinquents (which were none but the King's beſt Subjects) to their Mercy, and paſs ſuch Bills as they ſhould adviſe him; would you not have the King ſet forth Declarations and Proclamations againſt the Illegality of their Ordinances, by which they levied Soldiers againſt him, and anſwer thoſe inſolent Petitions of theirs?

B. No; it had done him no Good before, and therefore was not likely to do him any afterwards: 'for the common People, whoſe Hands were to decide the Controverſy, underſtood not the Reaſons of either Party; and for thoſe, that by Ambition were once ſet upon the Enterprize of changing the Government, they cared not much what was Reaſon and Juſtice in the Cauſe, but what Strength they might procure by reducing the Multitude with Remonſtrances from the Parliament-Houſe, or by Sermons in the Churches. And to their Petitions I would not have had any Anſwer made at all, more than this; that if they would diſband their Army, and put themſelves upon his Mercy, they ſhould find him more gracious than they expected.

A. That had been a gallant Anſwer indeed, if it had proceeded from him after ſome extraordinary great Victory in Battle, or ſome extraordinary Aſſurance of a Victory at laſt in the whole War.

B. Why? What could have happened to him worſe than at length he ſuffered, notwithſtanding his gentle Anſwers, and all his reaſonable Declarations?

A. Nothing; but who knew that?

B. Any Man might ſee, that he was never like to be reſtored to his Right without Victory; and ſuch his Stoutneſs being known to the People, would have brought to his Aſſiſtance many more Hands than all the Arguments of Law, or Force of Eloquence couched in Declarations and other Writings, could have done by far: and I wonder what kind of Men they were that hindered the King from taking this Reſolution?

A. You may know by the Declarations themſelves, which are very long and full of Quotations of Records, and of Caſes formerly reported; that the Penners of them were either Lawyers by Profeſſion, or ſuch Gentlemen as had the Ambition to be thought ſo. Beſides, I told you before, that thoſe which were then likelieſt to have their Counſel aſked in this Buſineſs, were averſe to abſolute Monarchy,

narchy, as alſo to abſolute Democracy or Ariſtocracy; all which Governments they eſteemed Tyranny, and were in love with Monarchy, which they uſed to praiſe by the Name of mixt Monarchy, though it were indeed nothing elſe but pure Anarchy. And thoſe Men, whoſe Pens the King moſt uſed in theſe Controverſies of Law and Politics, were ſuch (if I have not been miſinformed) as having been Members of this Parliament, had declaimed againſt Ship-money, and other extra-parliamentary Taxes, as much as any; but when they ſaw the Parliament grow higher in their Demands, than they thought they would have done, went over to the King's Party.

B. Who were thoſe?

A. It is not neceſſary to name any Man, ſeeing I have undertaken only a ſhort Narration of the Follies and other Faults of Men, during this Trouble; but not (by naming the Perſons) to give you, or any Man elſe, Occaſion to eſteem them the leſs, now that the Faults on all Sides have been forgiven.

B. When the Buſineſs was brought to this Height by levying of Soldiers and ſeizing of the Navy and Arms, and other Proviſions on both Sides, that no Man was ſo blind as not to ſee, they were in an Eſtate of War one againſt another; why did not the King, by Proclamation or Meſſage, according to his undoubted Right, diſſolve the Parliament, and thereby diminiſh in ſome part the Authority of their Levies, and of other their unjuſt Ordinances?

A. You have forgotten that I told you, that the King himſelf by a Bill that he paſſed, at the ſame time when he paſſed the Bill for the Execution of the Earl of *Strafford*, had given them Authority to hold the Parliament till they ſhould, by Conſent of both Houſes, diſſolve themſelves. If therefore he had by any Proclamations, or Meſſage to the Houſes, diſſolved them, they would, to their former Defamations of his Majeſty's Actions, have added this, that he was a Breaker of his Word; and not only in Contempt of him have continued their Seſſion, but alſo have made Advantage of it, to the Increaſe and ſtrengthening of their own Party.

B. Would not the King's raiſing of an Army againſt them be interpreted, as a Purpoſe to diſſolve them by Force? and was it not as great a Breach of Promiſe to ſcatter them by Force, as to diſſolve them by Proclamation? Beſides, I cannot conceive, that the paſſing of that Act was otherwiſe intended than conditionally; ſo long as they ſhould not ordain any thing contrary to the Sovereign Right of the King; which Condition they had already by many of their Ordinances broken. And I think, that even by the Law of Equity, which is the unalterable Law of Nature, a Man that has the Sovereign Power, cannot, if he would, give away the Right of any thing which is neceſſary for him to retain for the good Government of his Subjects, unleſs he do it in expreſs Words, ſaying, That he will have the Sovereign Power no longer. For the giving away that, which by Conſequence only draws the Sovereignty along with it, is not, I think, a giving away of the Sovereignty; but an Error, ſuch as works nothing but an Invalidity in the Grant itſelf. And ſuch was the King's paſſing of this Bill for the continuing of the Parliament as long as the two Houſes pleaſed. But now that the War was reſolved on, on both Sides, what needed any more Diſpute in Writing?

A. I know not what Need they had, but on both Sides they thought it needful to hinder one another, as much as they could, from levying of Soldiers; and therefore the King did ſet forth Declarations in Print to make the People know, that they ought not to obey the Officers of the new Militia, ſet up by the Ordinance of Parliament, and alſo to let them ſee the Legality of his own Commiſſions of Array. And the Parliament on their part did the like to juſtify to the People the ſaid Ordinance, and to make the Commiſſion of Array appear unlawful.

B. When the Parliament were levying of Soldiers, was it not lawful for the King to levy Soldiers to defend himſelf and his Right, though there had been no other Title for it, but his own Preſervation, and that the Name of Commiſſion of Array had never before been heard of?

A. For my Part (I think) there cannot be a better Title for War, than the Defence of a Man's own Right; but the People, at that time, thought nothing lawful for the King to do, for which there was not ſome Statute made by Parliament. For the Lawyers, I mean the Judges of the Courts at *Weſtminſter*, and ſome few others, though but Advocates, yet of great Reputation for their Skill in the common Laws and Statutes of *England*, had infected moſt of the Gentry of *England* with their Maxims and Caſes prejudged, which they call Precedents; and made them think ſo well of their own Knowledge in the Law, that they were very glad of this Occaſion to ſhew it againſt the King, and thereby to gain a Reputation with the Parliament of being good Patriots, and wiſe Stateſmen.

B. What was this Commiſſion of Array?

A. King *William* the Conqueror had goten into his Hands by Victory all the Land in *England*, of which he diſpoſed ſome Part, as Foreſts and Chaſes, for his Recreation; and ſome Part to Lords and Gentlemen that had aſſiſted him, or were to aſſiſt him in the Wars: upon which he laid a Charge of Service in his Wars, ſome with more Men, and ſome with leſs, according to the Lands he had given them, whereby, when the King ſent Men unto them with Commiſſion, to make uſe of their Service, they were obliged to appear with Arms, and to accompany the King to the Wars for a certain Time, at their own Charges; and ſuch were the Commiſſions by which this King did then make his Levies.

B. Why then was it not legal?

A. No doubt but it was legal: but what did that amount to with Men that were already reſolved to acknowledge for Law nothing that was againſt their Deſign of aboliſhing Monarchy, and placing a ſovereign and abſolute arbitrary Power in the Houſe of Commons.

B. To deſtroy Monarchy, and ſet up the Houſe of Commons, are two Buſineſſes.

A. They found it ſo at laſt, but did not think it ſo then.

B. Let us now come to the Military Part.

A. I intended only the Story of their Injuſtice, Impudence and Hypocriſy; therefore for the proceeding of the War, I refer you to the Hiſtory thereof written at large in *Engliſh*. I ſhall only make uſe of ſuch a Thread as is neceſſary for the filling up of ſuch Knavery and Folly alſo, as I ſhall obſerve in their ſeveral Actions.

From *York* the King went to *Hull*, where was his Magazine of Arms for the Northern Parts of *England*, to try if they would admit him. The Parliament had made Sir *John Hotham* Governor of the Town, who cauſed the Gates to he ſhut, and preſenting himſelf upon the Walls, flatly denied him Entrance; for which the King cauſed him to be proclaimed a Traitor; and ſent a Meſſage to the Parliament to know if they owned the Action.

B. Upon what Grounds?

A. Their Pretence was this, that neither this, nor any other Town in *England* was otherwiſe the King's, than in truſt for the People of *England*.

B. But what was that to the Parliament?

A. Yes, ſay they; for we are the Repreſentatives of the People of *England*.

B. I cannot ſee the Force of this Argument. We repreſent the People, *ergo* all that the People has is ours. The Major of *Hull* did repreſent the King; is therefore all that the King had in *Hull* the Major's? The People of *England* may be repreſented with Limitations, as to deliver a Petition or the like: Does it follow, that they who deliver the Petition have Right to all the Towns in *England*? When began this Parliament to be a Repreſentative of *England*? Was it not *November* 3, 1640? Who was it the Day before, that is *November* 2, that had a Right to keep the King out of *Hull*, and poſſeſs it for themſelves? for there was then no Parliament. Whoſe was *Hull* then?

A. I think it was the King's, not only becauſe it was called the King's Town upon *Hull*; but becauſe the King himſelf did then and ever repreſent the Perſon of the People of *England*. If he did not, who then did, the Parliament having no Being?

B. They might perhaps ſay, the People had then no Repreſentative.

A. Then there was no Commonwealth; and conſequently all the Towns of *England* being the People's, you and I, and any Man elſe might have put in for his Share. You may ſee by this what weak People they were, that were carried into the Rebellion by ſuch reaſoning as the Parliament uſed, and how impudent they were that did put ſuch Fallacies upon them.

B. Surely they were ſuch as were eſteemed the wiſeſt Men in *England*, being upon that Account choſen to be of the Parliament.

A. And were they alſo eſteemed the wiſeſt Men of *England* that choſe them?

B. I cannot tell that: for I know it is uſual with the Freeholders in the Counties, and the Tradeſmen in the Cities and Boroughs, to chuſe, as near as they can, ſuch as are moſt repugnant to the giving of Subſidies.

A. The King in the Beginning of *Auguſt*, after he had ſummoned *Hull*, and tried ſome of the Counties thereabout, what they would do for him, ſets up his Standard at *Nottingham*; but there came not thither Men enough to make an Army ſufficient to give Battle to the Earl of *Eſſex*. From thence he went to *Shrewsbury*, where he was quickly furniſhed; and appointing the Earl of *Lindſey* to be General, he reſolved to march towards *London*. The Earl of *Eſſex* was now at *Worceſter* with the Parliament's Army, making no Offer to ſtop him in his Paſſage; but as ſoon as he was gone by, marched cloſe after him.

The King therefore, to avoid being incloſed between the Army of the Earl of *Eſſex* and the City of *London*, turned upon him, and gave him Battle at *Edgehill*; where though he got not an intire Victory, yet he had the better, if either had the better, and had certainly the Fruit of a Victory, which was to march on in his intended Way towards *London*; in which, the next Morning he took *Banbury* Caſtle, and from thence went to *Oxford*, and thence to *Brainford*, where he gave a great Defeat to three Regiments of the Parliament's Forces, and ſo returned to *Oxford*.

B. Why did not the King go on from *Brainford*?

A. The Parliament upon the firſt Notice of the King's marching from *Shrewſbury*, cauſed all the Train'd-bands, and the Auxiliaries of the City of *London*, (which was ſo frighted as to ſhut up all their Shops) to be drawn forth; ſo that there was a moſt compleat and numerous Army ready for the Earl of *Eſſex* that was crept into *London* juſt at the Time to head it; and this was it that made the King retire to *Oxford*. In the Beginning of *February* after, Prince *Rupert* took *Cirenceſter* from the Parliament with many Priſoners and many Arms: for it was newly made a Magazine. And thus ſtood the Buſineſs between the King's and the Parliament's greateſt Forces. The Parliament in the mean Time cauſed a Line of Communication to be made about *London* and the Suburbs, of twelve Miles in Compaſs, and conſtituted a Committee for the Aſſociation, and the putting into a Poſture of Defence of the Counties of *Eſſex*, *Cambridge*, *Suffolk*, and ſome others, and one of theſe Commiſſioners was *Oliver Cromwell*, from which Employment he came to his following Greatneſs.

B. What was done, during this Time, in other Parts of the Country?

A. In the Weſt the Earl of *Stamford* had the Employment of putting in Execution the Ordinance of Parliament for the Militia; and Sir *Ralph Hopton* for the King executed the Commiſſion of Array. Between theſe two was fought a Battle at *Liſcard* in *Cornwall*, wherein Sir *Ralph Hopton* had the Victory, and preſently took a Town called *Saltaſh* with many Arms, and much Ordnance, and many Priſoners. Sir *William Waller* in the mean time ſeized *Wincheſter* and *Chicheſter* for the Parliament.

In the North, for the Commiſſion of Array my Lord of *Newcaſtle*, and for the Militia of the Parliament was my Lord *Fairfax*. My Lord of *Newcaſtle* took from the Parliament *Tadcaſter*, in which were a great Part of the Parliament's Forces for that Country, and had made himſelf in a manner Maſter of all the North. About this time, that is to ſay, in *February*, the Queen landed at *Burlington*, and was conducted by my Lord of *Newcaſtle*, and the Marquiſs of *Montroſſe*, to *York*, and not long after to the King. Divers other little Advantages, beſides thoſe, the King's Party had of the Parliament's in the North.

There happened alſo between the Militia of the Parliament, and the Commiſſion of Array in *Staffordſhire*, under my Lord *Brook* for the Parliament, and my Lord of *Northampton* for the King, great Contention, wherein both theſe Commanders were ſlain; for my Lord *Brook* beſieging *Litchfield* cloſe, was killed with a Shot; notwithſtanding which they gave not over the Siege till they were Maſters of the Cloſe; but preſently after my Lord of *Northampton* beſieged it again for the King; which to relieve, Sir *William Brereton* and Sir *John Gell* advanced towards *Litchfield*, and were met at *Hopton*-Heath by the Earl of *Northampton*, and routed; the Earl himſelf was ſlain; but his Forces, with Victory, returned to the Siege again, and ſhortly after ſeconded by Prince *Rupert*, who was then abroad in that Country, carried the Place. Theſe were the chief Actions of this Year 1642, wherein the King's Party had not much the worſe.

B. But the Parliament had now a better Army; inſomuch, that if the Earl of *Eſſex* had immediately followed the King to *Oxford*, (not yet well fortified) he might, in all Likelihood, have taken it: For he could not want either Men, or Ammunition, whereof the City of *London* (which was wholly at the Parliament's Devotion) had ſtore enough.

A. I cannot judge of that; but this is manifeſt, conſidering the Eſtate the King was in at his firſt marching from *York*, when he had neither Money, nor Men, nor Arms enough to put them in hope of Victory; that this Year (take it all together) was very proſperous.

B. But what great Folly or Wickedneſs do you obſerve in the Parliament's Actions for this firſt Year?

A. All that can be ſaid againſt them in that Point, will be excuſed with the Pretext of War, and come under one Name of Rebellion; ſaving, that when they ſummoned any Town, it was always in the Name of King and Parliament, the King being in the contrary Army, and many Times beating them from the Siege. I do not ſee how the Right of War can juſtify ſuch Impudence as that. But they pretended that the King was always virtually in the two Houſes of Parliament, making a Diſtinction between his Perſon Natural and Politic, which made the Impudence the greater, beſides the Folly of it: For this was but an Univerſity Quibble, ſuch as Boys make uſe of in maintaining (in the Schools) ſuch Tenets, as they cannot otherwiſe defend.

In the End of this Year they ſolicited alſo the *Scots* to enter *England* with an Army, to ſuppreſs the Power of the Earl of *Newcaſtle* in the North; which was a plain Confeſſion, that the Parliament's Forces were at this Time inferior to the King's; and moſt Men thought, that if the Earl of *Newcaſtle* had then marched Southward, and joined his Forces with the King's, that moſt of the Members of Parliament would have fled out of *England*.

In the Beginning of 1643, the Parliament ſeeing the Earl of *Newcaſtle*'s Power in the North grown ſo formidable, ſent to the *Scots* to hire them to an Invaſion of *England*, and (to compliment them in the mean Time) made a Covenant amongſt themſelves, ſuch as the *Scots* had before taken againſt Epiſcopacy, and demoliſhed Croſſes and Church-windows (ſuch as had in them any Images of Saints) throughout all *England*. Alſo in the middle of the Year they made a ſolemn League with the Nation, which was called the Solemn League and Covenant.

B. Are not the *Scots* as properly to be called Foreigners as the *Iriſh*? Seeing then they perſecuted the Earl of *Strafford* even to Death, for adviſing the King to make uſe of *Iriſh* Forces againſt the Parliament, with what Face could they call in a *Scotch* Army againſt the King?

A. The King's Party might eaſily here have diſcerned their Deſign to make themſelves abſolute Maſters of the Kingdom, and to dethrone the King. Another great Impudence, or rather a beſtial Incivility it was of theirs, that they voted the Queen a Traitor, for helping the King with ſome Ammunition and *Engliſh* Forces from *Holland*.

B. Was it poſſible that all this could be done, and Men not ſee that Papers and Declarations muſt be uſeleſs; and that nothing could ſatisfy them but the depoſing of the King, and ſetting up of themſelves in his place?

A. Yes; very poſſible. For who was there of them, though knowing that the King had the Sovereign Power, that knew the eſſential Rights of Sovereignty? They dreamt of a mix'd Power of the King and the two Houſes. That it was a divided Power, in which there could be no Peace, was above their Underſtanding. Therefore they were always urging the King to Declarations and Treaties, (for fear of ſubjecting themſelves to the King in an abſolute Obedience) which increaſed the Hope and Courage of the Rebels, but did the King little good: for the People either underſtand not, or will not trouble themſelves with Controverſies in Writing, but rather by his Compliance and Meſſages go away with an Opinion, that the Parliament was likely to have the Victory in the War. Beſides, ſeeing the Penners and Contrivers of theſe Papers were formerly Members of the Parliament, and of another Mind, and now revolted from the Parliament, becauſe they could not bear that Sway in the Houſe, which they expected, Men were apt to think they believed not what they writ.

As for military Actions (to begin at the head Quarters) Prince *Rupert* took *Birmingham*, a Garriſon of the Parliament's. In *July* after the King's Forces had a great Victory over the Parliament's near *Devizes* on *Roundway-Down*, where they took 2000 Priſoners, four Braſs Pieces of Ordnance, twenty-eight Colours, and all their Baggage; and ſhortly after *Briſtol* was ſurrender'd to Prince *Rupert* for the King: and the King himſelf marching into the Weſt, took from the Parliament many other conſiderable Places.

But this good Fortune was not a little allay'd by his beſieging of *Glouceſter*, which after it was reduced to the laſt Gaſp, was relieved by the Earl of *Eſſex*, whoſe Army was before greatly waſted, but now ſuddenly recruited with the Train'd-Bands and Apprentices of *London*.

B. It ſeems, not only by this, but alſo by many Examples in Hiſtory, that there can hardly ariſe a long or dangerous Rebellion, that has not ſome ſuch overgrown City, with an Army or two in its Belly, to foment it.

A. Nay more; thoſe great capital Cities, when Rebellion is upon Pretence of Grievances, muſt needs be of the Rebel Party, becauſe the Grievances are but Taxes, to which Citizens, that is, Merchants, whoſe Profeſſion is their private Gain, are naturally mortal Enemies; their only Glory being to grow exceſſively rich by the Wiſdom of buying and ſelling.

B. But they are ſaid to be of all Callings the moſt beneficial to the Commonwealth, by ſetting the poorer ſort of People on Work.

A. That is to ſay, by making poor People ſell their Labour to them, at their own Prices; ſo that poor People, for the moſt part, might get a better Living by working in *Bridewell*, than by ſpinning, weaving, and other ſuch Labour, as they can do; ſaving that by working ſlightly they may help themſelves a little, to the Diſgrace of our Manufacture. And as moſt commonly they are the firſt Encouragers of Rebellion, preſuming of their Strength; ſo alſo are they, for the moſt part, the firſt to repent, deceived by them that command their Strength.

But to return to the War; though the King withdrew from *Glouceſter*, yet it was not to fly from, but to fight with the Earl of *Eſſex*, which preſently after he did at *Newbury*, where the Battle was bloody, and the King had not the worſt, unleſs *Cirenceſter* be put into the Scale, which the Earl of *Eſſex* had in his Way a few Days before ſurprized.

But in the North and the Weſt the King had much the better of the Parliament; for in the North, at the very Beginning of the Year, *March* 29th, the Earls of *Newcaſtle* and *Cumberland* defeated the Lord *Fairfax* (who commanded in thoſe Parts for the Parliament) at *Bramham-Moor*, which made the Parliament to haſten the Aſſiſtance of the *Scots*.

In *June* following, the Earl of *Newcaſtle* routed Sir *Thomas Fairfax*, Son to the Lord *Fairfax*, upon *Adderton-Heath*, and in Purſuit of them to *Bradford*, took and kill'd 2000 Men, and the next Day took the Town and 2000 Priſoners more, (Sir *Thomas* himſelf hardly eſcaping) with all their Arms and Ammunition; and beſides this, made the Lord *Fairfax* quit *Halifax* and *Beverly*. Laſtly, Prince *Rupert* relieved *Newark*, beſieged by Sir *John Meldrun*, for the Parliament, with 7000 Men, whereof 1000 were ſlain; the reſt upon Articles departed, leaving behind them their Arms, Bag and Baggage.

To ballance in part this Succeſs, the Earl of *Mancheſter*, whoſe Lieutenant-General was *Oliver Cromwell*, got a Victory over the Royaliſts near *Horncaſtle*, of whom he ſlew 400, took 800 Priſoners, and 1000 Arms, and preſently after took and plundered the City of *Lincoln*.

In the Weſt, *May* 16th, Sir *Ralph Hopton*, at *Stratton* in *Devonſhire*, had a Victory over the Parliamentarians, wherein he took 1700 Priſoners, 13 Braſs Pieces of Ordnance, and all their Ammunition, which was 70 Barrels of Powder, and the Magazine of their other Proviſions in the Town.

Again at *Landſdown*, between Sir *Ralph Hopton* and the Parliamentarians, under Sir *William Waller*, was fought a fierce Battle, wherein the Victory was not very clear on either ſide; ſaving that the Parliamentarians might ſeem to have the better, becauſe preſently after Sir *William Waller* followed Sir *Ralph Hopton* to *Devizes* in *Wiltſhire*, though to his Coſt; for there he was overthrown, as I have already told you.

After this the King in Perſon marched into the Weſt, and took *Exeter*, *Dorcheſter*, *Barnſtable*, and divers other Places; and had he not at his Return beſieged *Glouceſter*, and thereby given the Parliament Time for new Levies, 'twas thought by many he might have routed the Houſe of Commons. But the End of this Year was more favourable to the Parliament; for in *January* the *Scots* entered *England*, and *March* the firſt croſſed the *Tyne*, and whilſt the Earl of *Newcaſtle* was marching to them, Sir *Thomas Fairfax* gathered together a conſiderable Party in *Yorkſhire*, and the Earl of *Mancheſter* from *Lyn* advanced towards *York*; ſo that the Earl of *Newcaſtle* having two Armies of the Rebels behind him, and another before him, was forced to retreat to *York*, which thoſe three Armies joining preſently beſieged; and theſe are all the conſiderable military Actions of the Year 1643.

In the ſame Year the Parliament cauſed to be made a new Great Seal. The Lord Keeper had carried the former Seal to *Oxford*. Hereupon the King ſent a Meſſenger to the Judges at *Weſtminſter*, to forbid them to make uſe of it. This Meſſenger was taken, and condemn'd at a Council of War, and hang'd for a Spy.

B. Is that the Law of War?

A. I know not: but it ſeems, when a Soldier comes into the Enemy's Quarters without Addreſs, or Notice given to the chief Commander, that it is preſumed he comes as a Spy. The ſame Year, when certain Gentlemen at *London* received a Commiſſion of Array from the King, to levy Men for his Service in that City, being diſcovered, they were condemn'd, and ſome of them executed. This Caſe is not much unlike the former.

B. Was not the making of a new Great Seal a ſufficient Proof that the War was raiſed, not to remove evil Councellors from the King, but to remove the King himſelf from the Government? What hope then could there be had in Meſſages and Treaties?

A. The Entrance of the *Scots* was a Thing unexpected to the King, who was made to believe, by continual Letters from his Commiſſioner in *Scotland*, Duke *Hamilton*, that the *Scots* never intended any Invaſion. The Duke being then at *Oxford*, the King (aſſured that the *Scots* were now enter'd) ſent him Priſoner to *Pendennis* Caſtle in *Cornwall*.

In the Beginning of the Year 1644, the Earl of *Newcaſtle* being (as I told you) beſieged by the joint Forces of the *Scots*, the Earl of *Mancheſter*, and Sir *Thomas Fairfax*, the King ſent Prince *Rupert* to relieve the Town, and as ſoon as he could to give the Enemy Battle. Prince *Rupert* paſſing through *Lancaſhire*, and by the Way having ſtormed that ſeditious Town of *Bolton*, and taken *Stockford* and *Liverpool*, came to *York* the 1ſt of *July*, and relieved it; the Enemy being riſen thence to a Place call *Marſton-Moor*, about four Miles off; and there was fought that unfortunate Battle, which loſt the King in a Manner all the North. Prince *Rupert* returned by the Way he came, and the Earl of *Newcaſtle* to *York*, and thence with ſome of his Officers over the Sea to *Hamburgh*.

The Honour of this Victory was attributed chiefly to *Oliver Cromwell*, the Earl of *Mancheſter*'s Lieutenant-General. The Parliamentarians returned from the Field to the Siege of *York*, which not long after, upon honourable Articles was ſurrendered; not that they were favoured, but becauſe the Parliament employed not much Time, nor many Men in Sieges.

B. This was a great and ſudden Abatement of the King's Proſperity.

A. It was ſo: but Amends was made him for it within five or ſix Weeks after. For Sir *William Waller*, after the Loſs of his Army in *Roundway-Down*, had another raiſed for him by the City of *London*; who for the Payment thereof impoſed a weekly Tax of the Value of one Meal's Meat upon every Citizen. This Army, with that of the Earl of *Eſſex*, intended to beſiege *Oxford*; which the King underſtanding, ſent the Queen into the Weſt, and marched himſelf towards *Worceſter*. This made them to divide again, and the Earl to go into the Weſt, and *Waller* to purſue the King. By this Means, as it fell out, both their Armies were defeated; for the King turned upon *Waller*, routed him at *Coupredy-Bridge*, took his Train of Artillery and many Officers; and then preſently followed the Earl of *Eſſex* into *Cornwall*, where he had him at ſuch Advantage, that the Earl himſelf was fain to eſcape in a ſmall Boat to *Plymouth*; his Horſe broke thro' the King's Quarters by Night; but the Infantry were all forced to lay down their Arms, and upon Condition never more to bear Arms againſt the King, were permitted to depart.

In *October* following was fought a ſecond and ſharp Battle at *Newbury*: for this Infantry, making no Conſcience of the Conditions made with the King, being now come towards *London*, as far as *Baſingſtoke*, had Arms put again into their Hands; to whom ſome of the Train'd-Bands being added, the Earl of *Eſſex* had ſuddenly ſo great an Army, that he attempted the King again at *Newbury*; and certainly had the better of the Day, but the Night parting them, had not a complete Victory. And it was obſerved here, that no part of the Earl's Army fought ſo keenly, as they who had laid down their Arms in *Cornwall*. Theſe were the moſt important Fights in the Year 1644, and the King was yet (as both himſelf and others thought) in as good Condition as the Parliament, which deſpaired of Victory by the Commanders they then uſed.

Therefore they voted a new modelling of the Army, ſuſpecting the Earl of *Eſſex*, though I think wrongfully, to be too much a Royaliſt; for not having done ſo much as they looked for in this ſecond Battle at *Newbury*. The Earls of *Eſſex* and *Mancheſter* perceiving what they went about, voluntarily laid down their Commiſſions; and the Houſe of Commons made an Ordinance, that no Member of either Houſe ſhould enjoy any Office, or Command Military or Civil; with which oblique Blow they ſhook off thoſe that had hitherto ſerved them too well: and yet out of this Ordinance they excepted *Oliver Cromwell*, in whoſe Conduct and Valour they had very great Confidence, (which they would not have done, if they had known him as well then as they did afterwards) and made him Lieutenant-General to Sir *Thomas Fairfax*, their new made General. In the Commiſſion to the Earl of *Eſſex* there was a Clauſe for the Preſervation of his Majeſty's Perſon, which in this new Commiſſion was left out; though the Parliament (as well as the General) were as yet Preſbyterian.

B. It ſeems the Preſbyterians alſo (in order to their Ends) would fain have had the King murdered.

A. For my part I doubt it not. For a rightful King living, an uſurping Power can never be ſufficiently ſecured.

In this ſame Year the Parliament put to Death Sir *John Hotham* and his Son, for tampering with the Earl of *Newcaſtle* about the Rendition of *Hull*; and Sir *Alexander Carew*, for endeavouring to deliver up *Plymouth*, where he was Governor for the Parliament; and the Archbiſhop of *Canterbury*, for nothing, but to pleaſe the *Scots:* for the general Article of going about to ſubvert the fundamental Laws of the Land, was no Accuſation, but only foul Words. They then alſo voted down the Book of Common-Prayer, and ordered the Uſe of a Directory, which had been newly compoſed by an Aſſembly of Preſbyterian Miniſters. They were alſo then, with much ado, prevailed with for a Treaty with the King at *Uxbridge*, where they remitted nothing of their former Demands. The King had alſo at this Time a Parliament at *Oxford*, conſiſting of ſuch diſcontented Members as had left the Houſes at *Weſtminſter*, but few of them had changed their old Principles, and therefore that Parliament was not much worth. Nay rather, becauſe they endeavoured nothing but Meſſages and Treaties, that is to ſay, defeating of the Soldiers Hope of Benefit by the War, they were thought by moſt Men to do the King more Hurt than Good.

The Year 1645, was to the King very unfortunate; for by the Loſs of one great Battle he loſt all he had formerly gotten, and at length his Life.

The new-model'd Army, after Conſultation whether they ſhould lay Siege to *Oxford*, or march Weſtward to the Relief of *Taunton*, (then beſieged by the Lord *Goring*, and defended by *Blake*, famous afterwards for his Actions at Sea) reſolved for *Taunton*, leaving *Cromwell* to attend the Motions of the King, though not ſtrong enough to hinder him. The King, upon this Advantage, drew his Forces and Artillery out of *Oxford*. This made the Parliament to call back their General *Fairfax*, and order him to beſiege *Oxford*. The King, in the mean Time, relieved *Cheſter*, which was beſieged by Sir *William Brereton*, and coming back took *Leiceſter* by Force; a Place of great Importance, and well provided of Artillery and Proviſion.

Upon this Succeſs it was generally thought, that the King's Party was the ſtronger. The King himſelf thought ſo, and the Parliament in a manner confeſs'd the ſame, by commanding *Fairfax* to riſe from the Siege, and endeavour to give the King Battle: For the Succeſſes of the King, and the Diviſions and Treacheries growing now amongſt themſelves, had driven them to rely upon the Fortune of one Day; in which at *Naſeby* the King's Army was utterly overthrown, and no Hope left him to raiſe another. Therefore, after the Battle, he went up and down, doing the Parliament here and there ſome ſhrewd Turns, but never much increaſed his Number.

Fairfax, in the mean Time, firſt recovered *Leiceſter*, and then marching into the Weſt ſubdued it all, except only a few Places; forcing, with much ado, my Lord *Hopton* (upon honourable Conditions) to diſband his Army, and with the Prince of *Wales* to paſs over to *Scilly*, whence, not long after, they went to *Paris*.

In *April* 1646, General *Fairfax* began to march back to *Oxford*. In the mean Time *Rainsborough*, who beſieged *Woodſtock*, had it ſurrendred. The King therefore, who was now alſo returned to *Oxford*, from whence *Woodſtock* is but ſix Miles, not doubting, but that he ſhould there by *Fairfax* be beſieged, and having no Army to relieve him, reſolved to get away diſguis'd to the *Scotch* Army about *Newark*; and thither he came the fourth of *May*; and the *Scotch* Army being upon remove homewards, carried him with them to *Newcaſtle*, whither he came *May* the 13th.

B. Why did the King truſt himſelf with the *Scots?* They were the firſt that rebell'd. They were Preſbyterians, *i. e.* cruel; beſides they were indigent, and conſequently it might be ſuſpected, would ſell him to his Enemies for Money. And laſtly, they were too weak to defend him, or keep him in their Country.

A. What could he have done better? For he had in the Winter before ſent to the Parliament to get a Paſs for the Duke of *Richmond* and others, to bring them Propoſitions of Peace: It was denied. He ſent again; it was denied again. Then he deſir'd he might come to them in Perſon: This alſo was denied. He ſent again and again to the ſame Purpoſe; but inſtead of granting it, they made an Ordinance, That the Commanders of the Militia of *London*, in caſe the King ſhould attempt to come within the Line of Communication, ſhould raiſe what Force they thought fit to ſuppreſs Tumults, to apprehend ſuch as came with him, and to ſecure (*i. e.* to impriſon) his Perſon from Danger. If the King had adventured to come, and had been impriſoned; what could the Parliament have done with him? They had dethron'd him by their Votes; and therefore could have no Security, whilſt he liv'd, though in Priſon. It may be they would not have put him to Death by a High Court of Juſtice publickly, but ſecretly ſome other Way.

B. He ſhould have attempted to get beyond Sea.

A. That had been from *Oxford* very difficult. Beſides it was generally believ'd, that the *Scotch* Army had promiſed him, that not only his Majeſty, but alſo his Friends that ſhould come with him, ſhould be in their Army ſafe; not only for their Perſons, but alſo for their Honours and Conſciences. 'Tis a pretty Trick, when the Army, and the particular Soldiers of the Army, are different Things, to make the Soldiers promiſe what the Army means not to perform.

July the 11*th* the Parliament ſent their Propoſitions to the King at *Newcaſtle*; which Propoſitions they pretended to be the only Way to a ſettled and well-grounded Peace. They were brought by the Earl of *Pembroke*, the Earl of *Suffolk*, Sir *Walter Earle*, Sir *John Hippeſly*, Mr. *Goodwin* and Mr. *Robinſon*; whom the King aſked if they had Power to treat? And when they ſaid No; why they might not as well have been ſent by a Trumpeter? The Propoſitions were the ſame dethroning ones, which they uſed to ſend, and therefore the King would not aſſent to them. Nor did the *Scots* ſwallow them at firſt, but made ſome Exceptions againſt them; only, it ſeems, to make the Parliament perceive, they meant not to put the King into their Hands *gratis*. And ſo at laſt the Bargain was made between them; and upon the Payment of 200000 *l.* the King was put into the Hands of the Commiſſioners, which the *Engliſh* Parliament ſent down to receive him.

B. What a vile Complexion has this Action compounded, of feigned Religion and very Covetouſneſs, Cowardice, Perjury and Treachery?

A. Now the War, that ſeemed to juſtify many unſeemly Things, is ended; you will ſee almoſt nothing elſe in theſe Rebels, but Baſeneſs and Falſeneſs, beſides their Folly.

By this time the Parliament had taken in all the reſt of the King's Garriſons, whereof the laſt was *Pendennis* Caſtle, whither Duke *Hamilton* had been ſent Priſoner by the King.

B. What was done during this Time in *Ireland* and *Scotland*?

A. In *Ireland* there had been a Peace made by order from his Majeſty for a Time, which by Diviſions amongſt the *Iriſh* was ill kept; the Popiſh Party (the Pope's Nuncio being then there) took this to be the Time for delivering themſelves from their Subjection to the *Engliſh*. Beſides, the Time of the Peace was now expir'd.

B. How were they ſubject to the *Engliſh* more than the *Engliſh* to the *Iriſh*? They were ſubject to the King of *England*; but ſo alſo were the *Engliſh* to the King of *Ireland*.

A. This Diſtinction is ſomewhat too ſubtil for common Underſtandings. In *Scotland* the Marquiſs of *Montroſſe* for the King, with a very few Men, and miraculous Victories, had over-run all *Scotland*, where many of his Forces (out of too much Security) were permitted to be abſent for a while; of which the

Enemy having Intelligence, ſuddenly came upon them, and forced them to fly back into the Highlands to recruit; where he began to recover Strength, when he was commanded by the King (then in the Hands of the *Scots* at *Newcaſtle*) to diſband; and he departed from *Scotland* by Sea.

In the End of the ſame Year 1646, the Parliament cauſed the King's Great Seal to be broken; alſo the King was brought to *Holmeby*, and there kept by the Parliament's Commiſſioners; and here was an End of that War, as to *England* and *Scotland*, but not to *Ireland*. About this Time alſo died the Earl of *Eſſex*, whom the Parliament had diſcarded.

B. Now that there was Peace in *England*, and the King in Priſon, in whom was the Sovereign Power?

A. The Right was certainly in the King, but the Exerciſe was yet in nobody; but contended for, as in a Game at Cards, without fighting all the Years 1647 and 1648, between the Parliament and *Oliver Cromwell*, Lieutenant-General to Sir *Thomas Fairfax*.

You muſt know, that when King *Henry* the VIIIth aboliſhed the Pope's Authority here, and took upon him to be the Head of the Church, the Biſhops, as they could not reſiſt him, ſo neither were they diſcontented with it. For whereas before, the Pope allowed not the Biſhops to claim Juriſdiction in their Dioceſes *Jure Divino*, that is, of Right immediately from God, but by the Gift and Authority of the Pope, now that the Pope was outed, they made no doubt but the Right was in themſelves. After this the City of *Geneva*, and divers other Places beyond Sea, having revolted from the Papacy, ſet up Preſbyteries for the Government of their ſeveral Churches; and divers *Engliſh* Scholars that went beyond Sea, during the time of Queen *Mary*, were much taken with this Government, and at their Return, in the Time of Queen *Elizabeth*, and ever ſince, have endeavoured, to the great Trouble of the Church and Nation, to ſet up that Government here, wherein they might domineer, and applaud their own Wit and Learning: and theſe took upon them, not only a divine Right, but alſo a divine Inſpiration: and having been connived at and countenanced ſometimes in their frequent Preaching, they introduced many ſtrange and many pernicious Doctrines, out-doing the Reformation, as they pretended, both of *Luther* and *Calvin*, receding from the former Divinity or Church-Philoſophy (for Religion is another Thing) as much as *Luther* and *Calvin* had receded from the Pope, and diſtracted their Auditors into a great Number of Sects, as Browniſts, Anabaptiſts, Independents, Fifth-monarchy-men, Quakers, and divers others, all commonly called by the Name of Fanatics: inſomuch as that there was not ſo dangerous an Enemy to the Preſbyterians as this Brood of their own hatching.

Theſe were *Cromwell*'s beſt Cards, whereof he had a very great Number in the Army, and ſome in the Houſe, whereof he himſelf was thought one, though he were nothing certain, but applying himſelf always to the Faction that was ſtrongeſt, was of a Colour like it.

There were in the Army a great Number (if not the greateſt Part) that aimed only at Rapine, and ſharing the Lands and Goods of their Enemies; and theſe alſo, upon the Opinion they had of *Cromwell*'s Valour and Conduct, thought they could not any way better arrive at their Ends, than by adhering to him. Laſtly, in the Parliament itſelf, though not the major Part, yet a conſiderable Number were Fanatics; enough to put in Doubts, and cauſe Delay in the Reſolutions of the Houſe, and ſometimes alſo by Advantage of a thin Houſe, to carry a Vote in favour of *Cromwell*, as they did upon the 26th of *July*. For whereas on the fourth of *May* precedent, the Parliament had voted that the Militia of *London* ſhould be in the Hands of a Committee of Citizens, whereof the Lord Mayor for the Time being ſhould be one; ſhortly after, the Independents chancing to be the major, made an Ordinance, by which it was put into Hands more favourable to the Army.

The beſt Cards the Parliament had, were the City of *London*, and the Perſon of the King. The General, Sir *Thomas Fairfax*, was right Preſbyterian, but in the

Hands of the Army, and the Army in the Hands of *Cromwell*, but which Party ſhould prevail depended on the playing of the Game. *Cromwell* proteſted ſtill Obedience and Fidelity to the Parliament, but meaning nothing leſs, bethought him, and reſolved on a Way to excuſe himſelf of all that he ſhould do to the contrary upon the Army. Therefore he and his Son-in-law, Commiſſary-General *Ireton*, as good at contriving as himſelf, and at Speaking and Writing better, contrive how to mutiny the Army againſt the Parliament. To this End they ſpread a Whiſper through the Army, that the Parliament, now they had the King, intended to diſband them, to cheat them of their Arrears, and to ſend them into *Ireland* to be deſtroyed by the *Iriſh*. The Army being herewith enraged, were taught by *Ireton* to erect a Council among themſelves, of two Soldiers out of every Troop, and every Company, to conſult for the Good of the Army, and to aſſiſt at the Council of War, and to adviſe for the Peace and Safety of the Kingdom. Theſe were called Adjutators, ſo that whatſoever *Cromwell* would have to be done, he needed nothing to make them do it, but ſecretly to put it into the Head of theſe Adjutators. The Effect of the firſt Conſultation was, to take the King from *Holmeby*, and to bring him to the Army.

The General hereupon, by Letter to the Parliament, excuſes himſelf, and *Cromwell*, and the Body of the Army, as ignorant of the Fact; and that the King came away willingly with thoſe Soldiers that brought him: aſſuring them withall, that the whole Army intended nothing but Peace, nor oppoſed Preſbytery, nor affected Independency, nor did hold any licentious Freedom in Religion.

B. 'Tis ſtrange that Sir *Thomas Fairfax* could be ſo abuſed by *Cromwell*, as to believe this which he himſelf here writes.

A. I cannot believe that Cornet *Joyce* could go out of the Army with a thouſand Soldiers to fetch the King, and neither the General, nor the Lieutenant-General, nor the Body of the Army, take Notice of it. And that the King went willingly, appears to be falſe, by a Meſſage ſent on Purpoſe from his Majeſty to the Parliament.

B. Here is Perfidy upon Perfidy: firſt the Perfidy of the Parliament againſt the King, and then the Perfidy of the Army againſt the Parliament.

A. This was the firſt Trick *Cromwell* plaid, whereby he thought himſelf to have gotten ſo great an Advantage, that he ſaid openly, That he had the Parliament in his Pocket (as indeed he had) and the City too: for upon the News of it they were, both the one and the other, in very great Diſorder, and the more, becauſe there came with it a Rumour, that the Army was marching up to *London*.

The King in the mean time, till his Reſidence was ſettled at *Hampton-Court*, was carried from Place to Place, not without ſome Oſtentation; but with much more Liberty, and with more Reſpect ſhewn him by far, than when he was in the Hands of the Parliament's Commiſſioners; for his own Chaplains were allowed him, and his Children, and ſome Friends permitted to ſee him. Beſides that, he was much complimented by *Cromwell*, who promiſed him, in a ſerious and ſeeming paſſionate manner, to reſtore him to his Right againſt the Parliament.

B. How was he ſure he could do that?

A. He was not ſure; but he was reſolved to march up to the City and Parliament to ſet up the King again, (and be the ſecond Man) unleſs in the Attempt he found better Hope, than yet he had, to make himſelf the firſt Man by diſpoſſeſſing the King.

B. What Aſſiſtance againſt the Parliament and the City could *Cromwell* expect from the King.

A. By declaring directly for him, he might have had all the King's Party, which were many more now ſince his Misfortune, than ever they were before: for in the Parliament itſelf there were many that had diſcovered the Hypocriſy and private Aims of their Fellows. Many were converted to their Duty by their own natural Reaſon; and their Compaſſion for the King's Sufferings had begot generally an Indignation againſt the Parliament; ſo that if they had been, by the Protection of the preſent Army, brought together, and embodied, *Cromwell* might have done what he had pleaſed in the firſt place for the King, and in the ſecond for himſelf: but it ſeems he meant firſt to try what he could do without the King, and if that proved enough, to rid his Hands of him.

B. What did the Parliament and City do to oppoſe the Army?

A. Firſt, the Parliament ſent to the General to re-deliver the King to their Commiſſioners. Inſtead of an Anſwer to this, the Army ſent Articles to the Parliament, and with them a Charge againſt eleven of their Members, all of them active Preſbyterians: of which Articles theſe are ſome. 1. That the Houſe may be purged of thoſe, who by the ſelf-denying Ordinance ought not to be there. 2. That ſuch as abuſed and endangered the Kingdom, might be diſabled to do the like hereafter. 3. That a Day might be appointed to determine this Parliament. 4. That they would make an Accompt to the Kingdom of the vaſt Sums of Money they had received. 5. That the eleven Members might preſently be ſuſpended ſitting in the Houſe. Theſe were the Articles that put them to their Trumps, and they anſwered none of them, but that of the Suſpenſion of the eleven Members, which they ſaid they could not do by Law, till the Particulars of the Charge were produced: but this was ſoon anſwered with their own Proceeding againſt the Archbiſhop of *Canterbury*, and the Earl of *Strafford*.

The Parliament being thus ſomewhat awed, and the King made ſomewhat confident; he undertakes the City, requiring the Parliament to put the Militia of *London* into other Hands.

B. What other Hands? I do not well underſtand you.

A. I told you that the Militia of *London* was, on the fourth of *May*, put into the Hands of the Lord-Mayor and other Citizens, and ſoon after put into the Hands of other Men more favourable to the Army; and now I am to tell you, that on *July* the 26th, the Violence of certain Apprentices and diſbanded Soldiers forced the Parliament to reſettle it as it was in the Citizens; and hereupon the two Speakers and divers of the Members ran away to the Army where they were invited, and contented to ſit and vote in the Council of War in Nature of a Parliament; and out of theſe Citizens hands they would have the Militia taken away, and put again into thoſe Hands, out of which it was taken the 26th of *July*.

B. What ſaid the City to this?

A. The *Londoners* manned their Works, *viz.* the Line of Communication, raiſed an Army of valiant Men within the Line, choſe good Officers, all being deſirous to go out and fight, whenſoever the City ſhould give them Order, and in that Poſture ſtood expecting the Enemy.

The Soldiers in the mean time enter into an Engagement to live and die with Sir *Thomas Fairfax*, and the Parliament, and the Army.

B. That is very fine. They imitate that which the Parliament did, when they firſt took up Arms againſt the King, ſtiling themſelves the King and Parliament, maintaining that the King was always virtually in his Parliament: So the Army now making War againſt the Parliament, called themſelves the Parliament and the Army: but they might with more Reaſon ſay, that the Parliament (ſince it was in *Cromwell*'s Pocket) was virtually in the Army.

A. Withal they ſend out a Declaration of the Grounds of their March towards *London*; wherein they take upon them to be Judges of the Parliament, and of who are fit to be truſted with the Buſineſs of the Kingdom, giving them the Name, not of the Parliament, but of the Gentlemen at *Weſtminſter*. For ſince the Violence they were under *July* the 26th, the Army denied them to be a lawful Parliament. At the ſame time they ſent a Letter to the Mayor and Aldermen of *London*, reproaching them with thoſe late Tumults, telling them they were Enemies to the Peace, treacherous to the Parliament, unable to defend either the Parliament or themſelves, and demanded to have the City delivered into their Hands, to which Purpoſe they ſaid they were now coming to them. The General alſo ſent out his Warrants to the Counties adjacent, ſummoning their Trained Soldiers to join with them.

B. Were the Trained Soldiers part of the General's Army?

A. No, nor at all in pay, nor could be without an Order of Parliament. But what might an Army not do after it had maſtered all the Laws of the Land? The Army being come to *Hounſlow-Heath*, diſtant from *London* but ten Miles, the Court of Aldermen was called to conſider what to do. The Captains and Soldiers of the City were willing and well provided to go forth and give them Battle: but a treacherous Officer, that had Charge of a Work on *Southwark* Side, had let in within the Line a ſmall Party of the Enemy, who march'd as far as to the Gate of *London* Bridge, and then the Court of Aldermen (their Hearts failing them) ſubmitted on theſe Conditions: To relinquiſh their Militia: To deſert the eleven Members: To deliver up the Forts and Line of Communication, together with the Tower of *London*, and all Magazines and Arms therein, to the Army: To diſband their Forces, and turn out all the Reformadoes, *i. e.* all *Eſſex*'s old Soldiers: To draw off their Guards from the Parliament. All which was done, and the Army marched triumphantly through the principal Streets of the City.

B. 'Tis ſtrange that the Mayor and Aldermen having ſuch an Army, ſhould ſo quickly yield. Might they not have reſiſted the Party of the Enemy, at the Bridge, with a Party of their own; and the reſt of the Enemies with the reſt of their own?

A. I cannot judge of that: but to me it would have been ſtrange, if they had done otherwiſe: for I conſider the moſt part of rich Subjects, that have made themſelves ſo by Craft and Trde, as Men that never look upon any thing but their preſent Profit, and who to every thing not lying in that Way are in a manner blind, being amazed at the very Thought of plundering. If they had underſtood what Virtue there is to preſerve their Wealth in Obedience to their lawful Sovereign, they would never have ſided with the Parliament, and ſo we had had no need of arming. The Mayor and Aldermen therefore being aſſured by this Submiſſion to ſave their Goods, and not ſure of the ſame by reſiſting, ſeem to me to have taken the wiſeſt Courſe. Nor was the Parliament leſs tame than the City; for preſently, *Auguſt* the 6th, the General brought the fugitive Speakers and Members to the Houſe with a ſtrong Guard of Soldiers, and replaced the Speakers in their Chairs; and for this they gave the General Thanks, not only there in the Houſe, but appointed alſo a Day for a holy Thankſgiving, and not long after made him *Generaliſſimo* of all the Forces of *England*, and Conſtable of the Tower: but in effect all this was the Advancement of *Cromwell*; for he was the Uſufructuary, though the Property were in Sir *Thomas Fairfax*. For the Independents immediately caſt down the whole Line of Communication, divided the Militia of *London*, *Weſtminſter* and *Southwark*, which were before united; diſplaced ſuch Governors of Towns and Forts as were not for their Turn, though placed there by Ordinance of Parliament, inſtead of whom they put in Men of their own Party. They alſo made the Parliament to declare null all that had paſſed in the Houſes from *July* the 26th to *Auguſt* the 6th, and clapt in Priſon ſome of the Lords, and ſome of the moſt eminent Citizens, whereof the Lord Mayor was one.

B. *Cromwell* had Power enough now to reſtore the King: Why did he not?

A. His main end was to ſet himſelf in his Place. The reſtoring of the King was but a Reſerve againſt the Parliament, which being in his Pocket, he had no more Need of the King, who was now an Impediment to him. To keep him in the Army was a Trouble; To let him fall into the Hands of the Preſbyterians had been a Stop to his Hopes; To murder him privately, (beſides the Horror of the Act) now whilſt he was no more than Lieutenant-General, would have made him odious without furthering his Deſign. There was nothing better for his Purpoſe, than to let him eſcape from *Hampton-Court*, (where he was too near the Parliament) whither he pleaſed beyond Sea; for though *Cromwell* had a great Party in the Parliament-Houſe, whilſt they ſaw not his Ambition to be their Maſter, yet they would have been his Enemies, as ſoon as that had appeared. To make the King attempt an Eſcape, ſome of thoſe that had him in Cuſtody, by *Cromwell*'s Direction, told him that the Adjutators meant to murder him; and withal cauſed a Rumour of the ſame to be generally ſpread, to the end it might that Way alſo come to the King's Ear, as it did.

The King therefore in a dark and rainy Night, (his Guards being retired, as it was thought on Purpoſe) left *Hampton-Court*, and went to the Sea-ſide about *Southampton*, where a Veſſel had been beſpoken to tranſport him, but failed; ſo that the King was forced to truſt himſelf with Colonel *Hammond*, then Governor of the Iſle of *Wight*: expecting perhaps ſome Kindneſs from him for Dr. *Hammond*'s Sake, Brother to the Colonel, and his Majeſty's much favoured Chaplain: but it proved otherwiſe; for the Colonel ſent to his Maſters of the Parliament to receive their Orders concerning him. This going into the Iſle of *Wight* was not likely to be any Part of *Cromwell*'s Deſign, who neither knew whither, nor which Way he would go, nor had *Hammond* known any more than other Men, if the Ship had come to the appointed Place in due Time.

B. If the King had eſcaped into *France*, might not the *French* have aſſiſted him with Forces to recover his Kingdom, and ſo fruſtrated the Deſigns, both of *Cromwell*, and all the King's other Enemies?

A. Yes, much; juſt as they aſſiſted his Son our preſent moſt gracious Sovereign, who two Years before fled thither out of *Cornwall*.

B. 'Tis methinks no great Policy in neighbouring Princes to favour ſo often as they do one another's Rebels, eſpecially when they rebel againſt Monarchy itſelf. They ſhould rather firſt make a League againſt Rebellion, and afterwards (if there be no Remedy) fight one againſt another. Nor will that ſerve the Turn amongſt Chriſtian Sovereigns, till preaching be better looked to, whereby the Interpretation of a Verſe in the *Hebrew*, *Greek* or *Latin* Bible, is oftentimes the Cauſe of Civil War, and the depoſing and aſſaſſinating of God's Anointed: and yet converſe with thoſe Divinity-Diſputers as long as you will, you will hardly find one in a hundred diſcreet enough to be employed in any great Affair either of War or Peace. It is not the Right of the Sovereign, though granted to him by every Man's expreſs Conſent, that can enable him to do his Office; it is the Obedience of the Subject that muſt do that. For what Good is it to promiſe Allegiance, and then by and by to cry out, (as ſome Miniſters did in the Pulpit) *To your Tents, O Iſrael!* Common People know nothing of Right or Wrong by their own Meditation; they muſt therefore be taught the Grounds of their Duty, and the Reaſons why Calamities ever follow Diſobedience to their lawful Sovereigns. But on the contrary, our Rebels were publicly taught Rebellion in the Pulpits; and that there was no Sin, but the doing of what the Preachers forbad, or the Omiſſion of what they adviſed. But now the King was the Parliament's Priſoner, why did not the Preſbyterians advance their own Intereſt by reſtoring him?

A. The Parliament, in which there were more Preſbyterians yet than Independents, might have gotten what they would of the King, during his Life, if they had not by unconſcionable and ſottiſh Ambition obſtructed the Way to their Ends. They ſent him four Propoſitions to be ſigned and paſſed by him, as Acts of Parliament, telling him when theſe were granted, they would ſend Commiſſioners to treat with him of any other Articles.

The Propoſitions were theſe. Firſt: That the Parliament ſhould have the Militia, and the Power of levying Money to maintain it, for twenty Years; and after that Term, the Exerciſe thereof to return to the King, in caſe the Parliament think the Safety of the Kingdom concerned in it.

B. The firſt Article takes from the King the Militia, and conſequently the whole Sovereignty for ever.

A. The ſecond was: That the King ſhould juſtify the Proceedings of the Parliament againſt himſelf; and declare void all Oaths and Declarations made by him againſt the Parliament.

B. This was to make him guilty of the War, and of all the Blood ſpilt therein.

A. The third was: To take away all Titles of Honour conferred by the King ſince the great Seal was carried to him in *May* 1642.

The fourth was: That the Parliament ſhould adjourn themſelves, when, and to what Place, and for what Time they pleaſed.

Theſe Propoſitions the King refuſed to grant, as he had Reaſon; but ſent others of his own, not much leſs advantageous to the Parliament, and deſired a perſonal Treaty with the Parliament for the ſettling of the Peace of the Kingdom: But the Parliament denying them to be ſufficient for that Purpoſe, voted, That there ſhould be no more Addreſſes made to him, nor Meſſages received from him; but that they would ſettle the Kingdom without him. And this they voted partly upon the Speeches and Menaces of the Army-Faction then preſent in the Houſe of Commons: whereof one adviſed theſe three Points.

1. To ſecure the King in ſome inland Caſtle with Guards. 2. To draw up Articles of Impeachment againſt him. 3. To lay him by, and ſettle the Kingdom without him.

Another ſaid, That his denying of the four Bills was the denying Protection to his Subjects; and that therefore they might deny him Subjection: and added, that till the Parliament forſook the Army, the Army would never forſake the Parliament. This was threatning.

Laſt of all, *Cromwell* himſelf told them, It was now expected that the Parliament ſhould govern and defend the Kingdom, and not any longer let the People expect their Safety from a Man, whoſe Heart God had hardened; nor let thoſe that had ſo well defended the Parliament be left hereafter to the Rage of an irreconcilable Enemy, leſt they ſeek their Safety ſome other way. This again was threatning; as alſo the laying his Hand upon his Sword, when he ſpake it.

And hereupon the Vote of Non-Addreſſes was made an Ordinance; which the Houſe would afterwards have recalled, but was forced by *Cromwell* to keep their Word.

The *Scots* were diſpleaſed with it, partly becauſe their Brethren the Preſbyterians had loſt a great deal of their Power in *England*, and partly alſo becauſe they had ſold the King into their Hands.

The King now publiſhed a paſſionate Complaint to his People of this hard Dealing with him, which made them pity him: but not yet riſe in his Behalf.

B. Was not this, think you, the true Time for *Cromwell* to take Poſſeſſion?

A. By no means: There were yet many Obſtacles to be removed: He was not General of the Army: The Army was ſtill for a Parliament: The City of *London* diſcontented about their Militia: The *Scots* expected with an Army to reſcue the King: His Adjutators were Levellers, and againſt Monarchy, who though they had helped him to bring under the Parliament, yet like Dogs that are eaſily taught to fetch, and not eaſily taught to render, would not make him King. So that *Cromwell* had theſe Buſineſſes following to overcome, before he could formally make himſelf a Sovereign Prince.

1. To be *Generaliſſimo*: 2. To remove the King: 3. To ſuppreſs all Inſurrections here: 4. To oppoſe the *Scots*: And laſtly, To diſſolve the preſent Parliament. Mighty Buſineſſes, which he could never promiſe himſelf to overcome; therefore I cannot believe he then thought to be King, but only by well ſerving the ſtrongeſt Party, (which was always his main Polity) to proceed as far as that and Fortune would carry him.

B. The Parliament were certainly no leſs fooliſh than wicked in deſerting thus the King, before they had the Army at a better Command than they had.

A. In the Beginning of 1648, the Parliament gave Commiſſion to *Philip* Earl of *Pembroke* (then made Chancellor of *Oxford*, together with ſome of the Doctors there, as good Divines as he) to purge the Univerſity; by Virtue whereof they turned out all ſuch as were not of their Faction, and all ſuch as had approved the Uſe of the Common-Prayer-Book; as alſo divers ſcandalous Miniſters and Scholars, (that is, ſuch as cuſtomarily and without Need took the Name of God in their Mouths, or uſed to ſpeak wantonly, or uſe the Company of lewd Women:) And for this laſt I cannot but commend them.

B. So ſhall not I; for it is juſt ſuch another Piece of Piety, as to turn Men out of an Hoſpital becauſe they are lame. Where can a Man probably learn Godlineſs, and how to correct his Vices, better than in the Univerſities erected for that Purpoſe?

A. It may be the Parliament thought otherwiſe: for I have often heard the Complaints of Parents, that their Children were debauched there to Drunkenneſs, Wantonneſs, Gaming, and other Vices conſequent to theſe: nor is it a Wonder amongſt ſo many Youths, if they did not corrupt one another in Deſpite of their Tutors, who oftentimes were little elder than themſelves. And therefore I think the Parliament did not much reverence that Inſtitution of Univerſities, as to the bringing up of young Men to Virtue, though many of them learned there to preach, and became thereby capable of Preferment and Maintenance; and ſome others were ſent thither by their Parents, to ſave themſelves the Trouble of governing them at home, during that Time wherein Children are leaſt governable. Nor do I think the Parliament cared more for the Clergy than other Men did: but certainly an Univerſity is an excellent Servant to the Clergy; and the Clergy, if it be not carefully look'd to, (by their Diſſentions in Doctrines, and by the Advantage to publiſh their Diſſentions) is an excellent Means to divide a Kingdom into Factions.

B. But ſeeing there is no Place in this Part of the World, where Philoſophy and other humane Sciences are not highly valued, where can they be learned better than in the Univerſities?

A. What other Sciences? Do not Divines comprehend all Civil and Moral Philoſophy within their Divinity? And as for Natural Philoſophy, is it not removed from *Oxford* and *Cambridge* to *Greſham-College* in *London*, and to be learned out of their Gazettes? But we are gone from our Subject.

B. No; we are indeed gone from the greater Buſineſſes of the Kingdom; to which, if you pleaſe, let us return.

A. The firſt Inſurrection, or rather Tumult, was that of the Apprentices, on the ninth of *April*; but this was not upon the King's Account, but aroſe from a cuſtomary Aſſembly of them for Recreation in *Moorfields*, whence ſome zealous Officers of the Trained Soldiers would needs drive them away by Force; but were themſelves routed with Stones; and had their Enſign taken away by the Apprentices, which they carried about in the Streets, and frighted the Lord Mayor into his Houſe, where they took a Gun called a Drake, and then they ſet Guards at ſome of the Gates, and all the reſt of the Day childiſhly ſwaggered up and down: but the next Day the General himſelf marching into the City, quickly diſperſed them. This was but a ſmall Buſineſs, but enough to let them ſee that the Parliament was ill beloved of the People.

Next the *Welch* took Arms againſt them. There were three Colonels in *Wales*, *Langhorne*, *Poyer*, and *Powel*, who had formerly done the Parliament good Service, but now were commanded to diſband; which they refuſed to do; and the better to ſtrengthen themſelves, declared for the King, and were about 8000.

About the ſame Time, in *Wales* alſo, was another Inſurrection headed by Sir *Nicholas Keymiſh*, and another under Sir *John Owen*; ſo that now all *Wales* was in Rebellion againſt the Parliament, and yet all theſe were overcome in a Month's Time by *Cromwell* and his Officers; but not without Store of Blood ſhed on both Sides.

B. I do not much pity the Loſs of thoſe Men that impute to the King that which they do upon their own Quarrel.

A. Preſently after this, ſome of the People of *Surrey* ſent a Petition to the Parliament, for a perſonal Treaty between the King and Parliament; but their Meſſengers were beaten home again by the Soldiers that quartered about *Weſtminſter* and the *Mews*. And then the *Kentiſh* Men having a like Petition to deliver, and ſeeing how ill it was like to be received, threw it away, and took up Arms. They had many gallant Officers, and for General the Earl of *Norwich*, and increaſed daily by Apprentices and old diſbanded Soldiers. Inſomuch as the Parliament was glad to reſtore the City their Militia, and to keep Guards upon the *Thames* Side: and then *Fairfax* marched towards the Enemy.

B. And then the *Londoners*, I think, might eaſily and ſuddenly have maſtered, firſt the Parliament, and next *Fairfax* his 8000, and laſtly *Cromwell*'s Army; or at leaſt, have given the *Scotch* Army Opportunity to march unfoughten to *London*.

A. 'Tis true: but the City was never good at venturing; nor were they or the *Scots* principled to have a King over them, but under them. *Fairfax* marching with his 8000 againſt the Royaliſts, routed a part of them at *Maidſtone*; another part were taken in other Places in *Kent* farther off; and the Earl of *Norwich* with the reſt, came to *Blackheath*, and thence ſent to the City to get a Paſſage through it, to join with thoſe which were riſen in *Eſſex* under Sir *Charles Lucas*, and Sir *George Liſle*; which being denied, the greateſt part of his *Kentiſh* Men deſerted him. With the reſt, not above 500, he croſſed the *Thames* into the Iſle of *Dogs*, and ſo to *Bow*, and thence to *Colcheſter*. *Fairfax* having notice of this, croſſed the *Thames* at *Graveſend*; and overtaking them, beſieged them in *Colcheſter*. The Town had no Defence, but a Breaſt-work, and yet held out upon hope of the *Scotch* Army to relieve them, the Space of two Months. Upon the News of the Defeat of the *Scots*, they were forced to yield. The Earl of *Norwich* was ſent Priſoner to *London*. Sir *Charles Lucas* and Sir *George Liſle*, two loyal and gallant Perſons, were ſhot to death. There was alſo another little Inſurrection, headed by the Earl of *Holland*, about *Kingſton*; but quickly ſuppreſſed, and he himſelf taken Priſoner.

B. How came the *Scots* to be ſo ſoon diſpatched?

A. Meerly, as it is ſaid, for want of Conduct. Their Army was led by Duke *Hamilton*, who was then ſet at Liberty, when *Pendennis* Caſtle, where he was Priſoner, was taken by the Parliamentarians. He entered *England* with Horſe and Foot 15000, to which came above 3000 *Engliſh* Royaliſts. Againſt theſe *Cromwell* marched out of *Wales* with Horſe and Foot 11000; and near to *Preſton* in *Lancaſhire*, in leſs than two Hours defeated them: And the Cauſe of it is ſaid to be, that the *Scotch* Army was ſo order'd, as they could not all come to the Fight, nor relieve their Fellows. After the Defeat, they had no Way to fly, but farther into *England*; ſo that in the Purſuit they were almoſt all taken, and loſt all that an Army can loſe; for the few that got home, did not all bring home their Swords. Duke *Hamilton* was taken, and not long after ſent to *London*: but *Cromwell* marched on to *Edinburgh*, and there by the Help of the Faction, which was contrary to *Hamilton*'s, he made ſure not to be hindered in his Deſigns; the firſt whereof was to take away the King's Life by the Hand of the Parliament.

Whilſt theſe Things paſſed in the North, the Parliament (*Cromwell* being away) came to itſelf, and recalling their Vote of Non-addreſſes, ſent to the King new Propoſitions, ſomewhat, but not much eaſier than formerly; and upon the King's Anſwer to them, they ſent Commiſſioners to treat with him, at *Newport* in the *Iſle of Wight*, where they ſo long dodged with him about Trifles, that *Cromwell* was come to *London*, before they had done, to the King's Deſtruction. For the Army was now wholly at the Devotion of *Cromwell*, who ſet the Adjutators on Work again to make a Remonſtrance to the Houſe of Commons, wherein they require; 1. That the King be brought to Juſtice. 2. That the Prince and Duke of *York* be ſummoned to appear at a Day appointed, and proceeded with according as they ſhould give Satiſfaction. 3. That the Parliament ſettle the Peace and future Government, and ſet a reaſonable Period to their own Sitting, and make certain future Parliaments annual, or biennial. 4. That a competent Number of the King's chief Inſtruments be executed. And this to be done, both by the Houſe of Commons, and by a general Agreement of the People teſtified by their Subſcriptions. Nor did they ſtay for an Anſwer, but preſently ſet a Guard of Soldiers at the Parliament-houſe-door, and other Soldiers in *Weſtminſter-hall*, ſuffering none to go into the Houſe, but ſuch as would ſerve their Turns. All others were frighted away, or made Priſoners, and ſome upon divers Quarrels ſuſpended. Above ninety of them, becauſe they had refuſed to vote againſt the *Scots*; and others, becauſe they had voted againſt the Vote of Non-addreſſes; and the reſt were an Houſe for *Cromwell*. The Fanatics alſo in the City, being countenanced by the Army, pack a new Common Council, whereof any forty was to be above the Mayor; and their firſt Work was to frame a Petition for Juſtice againſt the King, which *Tichborne*, the Mayor (involving the City in the Regicide) delivered to the Parliament.

At the ſame Time, with the like Violence, they took the King from *Newport* in the *Iſle of Wight*, to *Hurſt* Caſtle, till Things were ready for his Trial. The Parliament in the mean time, to avoid Perjury, by an Ordinance declared void the Oaths of Supremacy and Allegiance, and preſently after made another to bring the King to his Trial.

B. This is a Piece of Law that I underſtood not before, that when many Men ſwear ſingly, they may, when they are aſſembled (if they pleaſe) abſolve themſelves.

A. The Ordinance being drawn up was brought into the Houſe, where after three ſeveral Readings, it was voted; That the Lords and Commons of *England*, aſſembled in Parliament, do declare; That by the fundamental Laws of the Realm, it is Treaſon in the King of *England* to levy War againſt the Parliament. And this Vote was ſent up to the Lords; and their denying their Conſent, the Commons in Anger made another Vote; That all Members of Committees ſhould proceed and act in any Ordinance, whether the Lords concurred or no; and that the People, under God, are the Original of all juſt Power; and that the Houſe of Commons have the ſupreme Power of the Nation; and that whatſoever the Houſe of Commons enacteth is Law. All this paſſed *nemine contradicente*.

B. Theſe Propoſitions fight, not only againſt a King of *England*, but againſt all the Kings of the World. It were good they thought on it: but yet, I believe, under God, the Original of all Laws was in the People.

A. But the People, for them and their Heirs, by Conſent and Oaths, have long ago put the ſupreme Power of the Nation into the Hands of their Kings, for them and their Heirs; and conſequently into the Hands of this King, their known and lawful Heir.

B. But does not the Parliament repreſent the People?

A. Yes, to ſome Purpoſes; as to put up Petitions to the King, when they have Leave, and are grieved; but not to make a Grievance of the King's Power. Beſides, the Parliament never repreſents the People, but when the King calls them; nor is it to be imagined that he calls a Parliament to depoſe himſelf. Put the Caſe every County and Borough had given this Parliament for a Benevolence, a Sum of Money; and that every County, meeting in their County-court, or elſewhere, and every Borough in their Town-hall, ſhould have choſen certain Men to carry their ſeveral Sums reſpectively to the Parliament. Had not theſe Men repreſented the whole Nation?

B. Yes, no Doubt.

A. Do you think the Parliament would have thought it reaſonable to be called to Account by this Repreſentative?

B. No ſure; and yet I muſt confeſs the Caſe is the ſame.

A. This Ordinance contained, firſt, a Summary of the Charge againſt the King, in Subſtance this; That not content with the Encroachments of his Predeceſſors upon the Freedom of the People, he had deſigned to ſet up a Tyrannical Government, and to that End had raiſed and maintained in the Land a Civil War againſt the Parliament, whereby the Country hath been miſerably waſted, the public Treaſure exhauſted, thouſands of People murdered, and infinite other Miſchiefs committed.

Secondly, A Conſtitution paſſed of a High Court of Juſtice, that is, of a certain Number of Commiſſioners, of whom any twenty had Power to try the King, and to proceed to Sentence according to the Merit of the Caſe, and ſee it ſpeedily executed. The Commiſſioners met on *Saturday Jan.* 20, in *Weſtminſter-hall*, and the King was brought before them; where ſitting in a Chair, he heard the Charge read, but denied to plead to it either Guilty or not Guilty, till he ſhould know by what lawful Authority he was brought thither. The Preſident told him; That the Parliament affirmed their own Authority, and the King perſevered in his Refuſal to plead; though many Words paſſed between him and the Preſident, yet this was the Subſtance of it all.

On *Monday*, *Jan.* 22, the Court met again, and the Solicitor moved, that if the King perſiſted in denying the Authority of the Court, the Charge might be taken *pro confeſſo*: but the King ſtill denied their Authority.

They met again *January* 23, and then the Solicitor moved the Court for Judgment; whereupon the King was required to give his final Anſwer, which was again a Denial of their Authority.

Laſtly, They met again *January* 27, where the King deſir'd to be heard before the Lords and Commons in the Painted Chamber, and promiſing after that to abide the Judgment of the Court. The Commiſſioners retir'd for half an Hour to conſider of it, and then returning, cauſed the King to be brought again to the Bar, and told him, that what he propoſed was but another Denial of the Court's Juriſdiction; and that if he had no more to ſay, they would proceed. Then the King anſwering, that he had no more to ſay; the Preſident began a long Speech in Juſtification of the Parliament's Proceedings, producing the Examples of many Kings killed or depoſed by wicked Parliaments Ancient and Modern, in *England*, *Scotland*, and other Parts of the World: All which he endeavoured to juſtify from this only Principle; That the People have the Supreme Power, and the Parliament is the People. This Speech ended, the Sentence of Death was read; and the ſame upon *Tueſday* after, *January* 30, executed at the Gate of his own Palace of *Whitehall*. He that can delight in reading how villainouſly he was uſed by the Soldiers between the Sentence and Execution, may go to the Chronicle itſelf; in which he ſhall ſee what Courage, Patience, Wiſdom and Goodneſs was in this Prince, whom, in their Charge, the Members of that wicked Parliament ſtiled Tyrant, Traitor and Murderer.

The King being dead, the ſame Day they made an Act of Parliament, That whereas ſeveral Pretences might be made to the Crown, *&c.* It is Enacted by this preſent Parliament, and by Authority of the ſame; That no Perſon preſume to declare, proclaim or publiſh, or any Way promote *Charles Stuart*, Son of *Charles* late King of *England*, commonly called Prince of *Wales*, or any other Perſon, to be King of *England* or *Ireland*, &c.

B. Seeing the King was dead, and his Succeſſor barred; by what declar'd Authority was the Peace maintain'd?

A. They had in their Anger againſt the Lords formerly declar'd, the Supreme Power of the Nation to be in the Houſe of Commons; and now on *February* the *5th* they vote the Houſe of Lords to be uſeleſs and dangerous. And thus the Kingdom is turned into a Democracy, or rather an Oligarchy: For preſently they made an Act; That none of thoſe Members, who were ſecluded for oppoſing the Vote of Non-addreſſes, ſhould ever be re-admitted. And theſe were commonly called the ſecluded Members, and the reſt were by ſome ſtiled a Parliament, and by others the Rump.

I think you need not now have a Catalogue, either of the Vices, or of the Follies of the greateſt Part of them that compoſed the Long Parliament, than which greater cannot be in the World. What greater Vices than Irreligion, Hypocriſy, Avarice and Cruelty; which have appear'd ſo eminently in the Actions of Preſbyterian Members, and Preſbyterian Miniſters? What greater Crimes than Blaſpheming and Killing God's Anointed? which was done by the Hands of the Independents; but by the Folly and firſt Treaſon of the Preſbyterians, who betrayed and ſold him to his Murderers. Nor was it a little Folly in the Lords, not to ſee, that by the taking away of the King's Power, they loſt withal their own Privileges; or to think themſelves either for Number or Judgment any way a conſiderable Aſſiſtance to the Houſe of Commons. And for thoſe Men who had Skill in the Laws, it was no great Sign of Underſtanding, not to perceive that the Laws of the Land were made by the King, to oblige his Subjects to Peace and Juſtice, and not to oblige himſelf that made them. And laſtly and generally, all Men are Fools which pull down any thing which does them good, before they ſet up ſomething better in its Place. He that would ſet up Democracy with an Army, ſhould have an Army to maintain it; but theſe Men did it, when thoſe Men had the Army, that were reſolv'd to pull it down. To theſe Follies I might add the Folly of thoſe fine Men, which out of their reading of *Tully*, *Seneca*, or other Antimonarchics think themſelves ſufficient Politicians, and ſhew their Diſcontents, when they are not called to the Management of the State, and turn from one Side to another upon every Neglect they fancy from the King, or his Enemies.

BEHEMOTH.

PART IV.

A. YOU have ſeen the Rump in Poſſeſſion (as they believ'd) of the Supreme Power over the two Nations of *England* and *Ireland*, and the Army their Servant, though *Cromwell* thought otherwiſe, ſerving them diligently for the Advancement of his own Purpoſes. I am now therefore to ſhew you their Proceedings.

B. Tell me firſt, how this kind of Government, under the Rump or Relic of a Houſe of Commons, is to be called?

A. 'Tis doubtleſs an Oligarchy; for the Supreme Authority muſt needs be in one Man, or in more. If in one, it is Monarchy: If the Authority were in more than one; it was in all, or in fewer than all. When in all, it is Democracy; for every Man may enter into the Aſſembly, which makes the Sovereign Court; which they could not do here. It is therefore manifeſt, that the Authority was in a few, and conſequently the State was an Oligarchy.

B. Is it not impoſſible for a People to be well govern'd, that are to obey more Maſters than one?

A. Both the Rump, and all other Sovereign Aſſemblies, if they have but one Voice, though they be many Men, yet are they but one Perſon: For contrary Commands cannot conſiſt in one and the ſame Voice, which is the Voice of the greateſt Part, and therefore they might govern well enough, if they had Honeſty and Wit enough.

The firſt Act of the Rump was the Excluſion of thoſe Members of the Houſe of Commons, which had been formerly kept out by Violence, for the procuring of an Ordinance for the King's Tryal: For theſe Men had appear'd againſt the Ordinance of Non-addreſſes, and therefore to be excluded, becauſe they might elſe be an Impediment to their future Deſigns.

B. Was it not rather, becauſe in the Authority of few, they thought the fewer the better, both in reſpect of their Shares, and alſo of a nearer approach in every one of them to the Dignity of a King?

A. Yes certainly, that was their principal End.

B. When theſe were put out; why did not the Counties and Boroughs chuſe others in their Places?

A. They could not do that without Order from the Houſe. After this they conſtituted a Council of forty Perſons, which they termed a Council of State, whoſe Office was to execute what the Rump ſhould command.

B. When there was neither King, nor Houſe of Lords, they could not call themſelves a Parliament; for a Parliament is a Meeting of the King, Lords and Commons, to confer together about the Buſineſſes of the Commonwealth. With whom did the Rump confer?

A. Men may give to their Aſſembly what Name they pleaſe, what Signification ſoever ſuch Name might formerly have had; and the Rump took the Name of Parliament as moſt ſuitable to their Purpoſe; and ſuch a Name as being venerable amongſt the People for many hundred Years, had countenanced and ſweetned Subſidies and other Levies of Money, otherwiſe very unpleaſant to the Subject. They took alſo afterwards another Name, which was *Cuſtodes Libertatis Angliæ,* which Titles they uſed only in their Writs iſſuing out of the Courts of Juſtice.

B. I do not ſee how a Subject, that is tied to the Laws can have more Liberty in one form of Government than another.

A. Howſoever to the People that underſtand by Liberty nothing but leave to do what they liſt, it was a Title not ingrateful.

Their next Work was to ſet forth a public Declaration; That they were fully reſolved to maintain the fundamental Laws of the Nation, as to the Preſervation of the Lives, Liberties and Proprieties of the People.

B. What did they mean by the fundamental Laws of the Nation?

A. Nothing but to abuſe the People: for the only fundamental Law in every Commonwealth is, To obey the Laws from time to time, which he ſhall make, to whom the People have given the ſupreme Power. How likely then are they to uphold the fundamental Laws, that had murdered him, who was by themſelves ſo often acknowledged for their lawful Sovereign? Beſides, at the ſame time that this Declaration came forth, they were erecting that High Court of Juſtice, which took away the Lives of Duke *Hamilton*, the Earl of *Holland*, and the Lord *Capel*. Whatſoever they meant by a fundamental Law, the erecting of this Court was a Breach of it, as being warranted by no former Law or Example in *England*.

At the ſame time alſo they levied Taxes by Soldiers, and to Soldiers permitted Free-Quarter, and did many other Actions, which if the King had done, they would have ſaid had been done againſt the Liberty and Propriety of the Subject.

B. What ſilly Things are the common Sort of People, to be cozened as they were ſo groſly?

A. What Sort of People, as to this Matter, are not of the common Sort? The craftieſt Knaves of all the Rump were no wiſer than the reſt whom they cozened: for the moſt of them did believe, that the ſame Things which they impoſed upon the Generality, were juſt and reaſonable; and eſpecially the great Haranguers, and ſuch as pretended to Learning: for who can be a good Subject in a Monarchy, whoſe Principles are taken from the Enemies of Monarchy, ſuch as were *Cicero*, *Seneca*, *Cato*, and other Politicians of *Rome*, and *Ariſtotle* of *Athens*, who ſeldom ſpake of Kings, but as of Wolves and other ravenous Beaſts? You may perhaps think a Man has need of nothing elſe to know the Duty he owes to his Governor, and what Right he has to order him, but a good natural Wit: but it is otherwiſe; for it is a Science, and built upon ſure and clear Principles, and to be learned by deep and careful Study, or from Maſters that have deeply ſtudied it; and who was there in the Parliament, or in the Nation, that could find out thoſe evident Principles, and derive from them the neceſſary Rules of Juſtice, and the neceſſary Connection of Juſtice and Peace? The People have one Day in ſeven the Leiſure to hear Inſtruction, and there are Miniſters appointed to teach them their Duty: but how have thoſe Miniſters performed their Office? A great part of them, namely, the Preſbyterian Miniſters throughout the whole War, inſtigated the People againſt the King; ſo did alſo Independents, and other Fanatic Miniſters. The reſt, contented with their Livings, preached in their Pariſhes Points of Controverſy, to Religion impertinent; but to the Breach of Charity among themſelves, very effectual: or elſe eloquent Things, which the People either underſtood not, or thought themſelves not concerned in. But this Sort of Preachers, as they did little Good, ſo they did little Hurt. The Miſchief proceeded wholly from the Preſbyterian Preachers, who by a long practiſed Hiſtrionic Faculty preached up the Rebellion powerfully.

B. To what End?

A. To the End that the State becoming popular, the Church might be ſo too, and governed by an Aſſembly, and by Conſequence, (as they thought) ſeeing Politics are ſubſervient to Religion, they might govern, and thereby ſatisfy, not only their covetous Humour with Riches, but alſo their Malice with Power to undo all Men that admired not their Wiſdom. Your calling the People ſilly Things, obliged me by this Digreſſion to ſhew you, that it is not want of Wit, but want of the Science of Juſtice that brought them into theſe Troubles. Perſuade, if you can, that Man that has made his Fortune, or made it greater, or an eloquent Orator, or a raviſhing Poet, or a ſubtile Lawyer, or but a good Hunter, or a cunning Gameſter, that he has not a good Wit; and yet there were of all theſe a great many ſo ſilly as to be deceived by the Rump, and Members of the ſame Rump. They wanted not Wit, but the Knowledge of the Cauſes and Grounds upon which one Perſon has a Right to govern, and the reſt an Obligation to obey, which Grounds are neceſſary to be taught the People, who without them cannot live long in Peace amongſt themſelves.

B. Let us return, if you pleaſe, to the Proceedings of the Rump.

A. In the reſt of this Year they voted a new Stamp for the Coin of this Nation. They conſidered alſo of Agents to be ſent to foreign States; and having lately received Applauſe from the Army for their Work done by the High Court of Juſtice, and Encouragement to extend the ſame farther, they perfected the ſaid High Court of Juſtice, in which were tried Duke *Hamilton*, the Earl of *Holland*, Lord *Capel*, the Earl of *Norwich*, and Sir *John Owen*, whereof, as I mentioned before, the three firſt were beheaded. This affrighted divers of the King's Party out of the Land: for not only they, but all that had borne Arms for the King were at that time in very great Danger of their Lives. For it was put to the Queſtion by the Army at a Council of War, whether they ſhould be all maſſacred or no, when the Noes carried it, but by two Voices. Laſtly, *March* the 24th, they put the Mayor of *London* out of his Office, fined him 2000 *l.* disfranchiſed him, and condemned him to two Months Impriſonment in the Tower, for refuſing to proclaim the Act for aboliſhing the Kingly Power. And thus ended the Year 1648, and the monthly Faſt; God having granted that which they faſted for, the Death of the King, and the Poſſeſſion of his Inheritance. By theſe their Proceedings they had already loſt the Hearts of the Generality of the People, and had nothing to truſt to but the Army, which was not in their Power, but in *Cromwell*'s, who never failed, when there was Occaſion, to put them upon all Exploits that might make them odious to the People, in order to his future diſſolving them, whenſoever it ſhould conduce to his Ends.

In the Beginning of 1649, the *Scots*, diſcontented with the Proceedings of the Rump againſt the late King, began to levy Soldiers, in order to a new Invaſion of *England*. The *Iriſh* Rebels, for want of timely Reſiſtance from *England*, were grown terrible; and the *Engliſh* Army at home infected by the Adjutators, were caſting how to ſhare the Land amongſt the Godly, meaning themſelves; and ſuch others as they pleaſed, who were therefore called Levellers. Alſo the Rump for the preſent were not very well provided of Money, and therefore the firſt thing they did was, the laying of a Tax upon the People of 90000 *l.* a Month, for the Maintenance of the Army.

B. Was it not one of their Quarrels with the King, that he had levied Money without the Conſent of the People in Parliament?

A. You may ſee by this what Reaſon the Rump had to call itſelf a Parliament; for the Taxes impoſed by Parliament, were always underſtood to be by the People's Conſent, and conſequently legal.

To appeaſe the *Scots*, they ſent Meſſengers with flattering Letters to keep them from engaging for the preſent King; but in vain; for they would hear nothing from a Houſe of Commons (as they called it) at *Weſtminſter*, without a King and Lords. But they ſent Commiſſioners to the King, to let him know what they were doing for him: for they were reſolved to raiſe an Army of 17000 Foot and 6000 Horſe, for themſelves.

To relieve *Ireland*, the Rump had reſolved to ſend eleven Regiments thither out of the Army in *England*. This happened well for *Cromwell*: for the levelling Soldiers, which were in every Regiment many, and in ſome the major Part, finding that inſtead of dividing the Land at home, they were to venture their Lives in *Ireland*, flatly denied to go; and one Regiment having caſhiered their Colonel about *Salisbury*, was marching to join with three Regiments more of the ſame Reſolution; but both the General and *Cromwell* falling upon them at *Burford*, utterly defeated them, and ſoon after reduced the whole Army to their Obedience. And thus another of the Impediments to *Cromwell*'s Advancement was ſoon removed. This done they came to *Oxford*, and thence to *London*: and at *Oxford*, both the General and *Cromwell* were made Doctors of the Civil Law; and at *London* feaſted and preſented by the City.

B. Were they not firſt made Maſters, and then Doctors?

A. They had made themſelves already Maſters both of the Laws and Parliament. The Army being now obedient, the Rump ſent over thoſe eleven Regiments into *Ireland* under the Command of Dr. *Cromwell*, intituled Governor of that Kingdom, the Lord *Fairfax* being ſtill General of all the Forces, both here and there.

The Marquiſs (now Duke) of *Ormond* was the King's Lieutenant of *Ireland*, and the Rebels had made a Confederacy amongſt themſelves, and theſe Confederates had made a kind of League with the Lieutenant, wherein they agreed upon Liberty given them in the Exerciſe of their Religion, to be faithful to, and aſſiſt the King. To theſe alſo were joined ſome Forces raiſed by the Earls of *Caſtlehaven*, and *Clanrickard*, and my Lord *Inchiquin*; ſo that they were the greateſt united Strength in the Iſland: but there were amongſt them a great many other Papiſts, that would by no means ſubject themſelves to Proteſtants; and theſe were called the Nuncio's Party, as the other were called the Confederate Party. Theſe Parties not agreeing, and the confederate Party having broken their Articles, the Lord Lieutenant ſeeing them ready to beſiege him in *Dublin*, and not able to defend it, did, to preſerve the Place for the Proteſtants, ſurrender it to the Parliament of *England*, and came over to the King, at that Time when he was carried from place to place by the Army. From *England* he went over to the Prince, now King, reſiding then at *Paris*.

But the Confederates affrighted with the News that the Rump was ſending over an Army thither, deſired the Prince by Letters to ſend back my Lord of *Ormond*, engaging themſelves to ſubmit abſolutely to the King's Authority, and to obey my Lord of *Ormond* as his Lieutenant. And hereupon he was ſent back; this was about a Year before the going over of *Cromwell*.

In which Time, by the Diſſentions in *Ireland*, between the Confederate Party and the Nuncio's Party, and Diſcontents about Command, this, otherwiſe ſufficient Power, effected nothing, and was at laſt defeated, *Auguſt* 2, by a Sally out of *Dublin*, which they were beſieging. Within a few Days after arrived *Cromwell*, who with extraordinary Diligence, and horrid Executions, in leſs than a Twelvemonth that he ſtaid there, ſubdued in a manner the whole Nation, having killed or exterminated a great part of them, and leaving his Son-in-Law *Ireton* to ſubdue the reſt. But *Ireton* died there (before the Buſineſs was quite done) of the Plague. This was one Step more towards *Cromwell*'s Exaltation to the Throne.

B. What a miſerable Condition was *Ireland* reduced to by the Learning of the *Roman*, as well as *England* was by the Learning of the Preſbyterian Clergy.

A. In the latter End of the preceding Year, the King was come from *Paris* to the *Hague:* and ſhortly after came thither from the Rump their Agent *Doriſlaus* Doctor of the Civil Law, who had been employ'd in the drawing up of the Charge againſt the late King: but the firſt Night he came, as he was at Supper, a Company of Cavaliers, near a Dozen, enter'd his Chamber, kill'd him, and got away. Not long after alſo their Agent at *Madrid*, one *Aſcham*, one that had written in Defence of his Maſters, was kill'd in the ſame manner. About this Time came out two Books, one written by *Salmaſius* a Preſbyterian, againſt the Murder of the King, another written by *Milton*, an *Engliſh* Independent, in Anſwer to it.

B. I have ſeen them both. They are very good *Latin* both, and hardly to be judged which is better, and both very ill reaſoning, hardly to be judged which is worſe; like two Declamations *pro* and *con*, made for Exerciſe only in a Rhetoric School by one and the ſame Man. So like is a Preſbyterian to an Independent.

A. In this Year the Rump did not much at home; ſave that in the Beginning they made *England* a Free State by an Act which runs thus: Be it enacted and declared by this preſent Parliament, and by the Authority thereof, That the People of *England*, and all the Dominions and Territories thereunto belonging, are, and ſhall be, and are hereby conſtituted, made, and declared, a Commonwealth and Free State, *&c.*

B. What did they mean by a Free State and Commonwealth? Were the People no longer to be ſubject to Laws? They could not mean that: for the Parliament meant to govern them by their own Laws, and puniſh ſuch as broke them. Did they mean that *England* ſhould not be ſubject to any foreign Kingdom or Commonwealth? That needed not be enacted, ſeeing there was no King nor People pretended to be their Maſters. What did they mean then?

A. They meant that neither this King, nor any King, nor any ſingle Perſon, but only that they themſelves would be the People's Maſters, and would have ſet it down in thoſe plain Words, if the People could have been cozened with Words intelligible, as eaſily as with Words not intelligible.

After this they gave one another Money and Eſtates out of the Lands and Goods of the loyal Party. They enacted alſo an Engagement to be taken by every Man, in theſe Words: *You ſhall promiſe to be true and faithful to the Commonwealth of* England, *as it is now eſtabliſhed, without King, or Houſe of Lords.*

They baniſhed alſo from within twenty Miles of *London* all the royal Party, forbidding alſo every one of them to depart more than five Miles from his Dwelling-Houſe.

B. They meant perhaps to have them ready, if need were, for a Maſſacre. But what did the *Scots* in this Time?

A. They were conſidering of the Officers of the Army, which they were levying for the King, how they might exclude from Command all ſuch as had loyally ſerved his Father, and all Independents, and all ſuch as commanded in Duke *Hamilton*'s Army; and theſe were the main Things that paſſed this Year.

The Marquiſs of *Montroſſe*, that in the Year 1645 had, with a few Men, and in little Time, done Things almoſt incredible againſt the late King's Enemies in *Scotland*, landed now again in the Beginning of the Year 1650, in the North of *Scotland*, with Commiſſion from the preſent King, hoping to do him as good Service, as he had formerly done his Father: but the Caſe was altered; for the *Scotch* Forces were then in *England* in the Service of the Parliament; whereas now they were in *Scotland*, and many more (for their intended Invaſion) newly raiſed. Beſides the Soldiers which the Marquiſs brought over were few, and Foreigners, nor did the *Highlanders* come in to him as he expected; inſomuch as he was ſoon defeated, and ſhortly after taken, and (with more ſpightful Uſage than Revenge required) executed by the Covenanters at *Edinburgh*, *May* 2.

B. What Good could the King expect from joining with theſe Men, who during the Treaty, diſcovered ſo much Malice to him in one of his beſt Servants?

A. No Doubt (their Churchmen being then prevalent) they would have done as much to this King, as the *Engliſh* Parliament had done to his Father, if they could have gotten by it that which they fooliſhly aſpired to, the Government of the Nation. I do not believe that the Independents were worſe than the Preſbyterians: both the one and the other were reſolved to deſtroy whatſoever ſhould ſtand in the Way to their Ambition: but Neceſſity made the King paſs over both this and many other Indignities from them, rather than ſuffer the Purſuit of his Right in *England* to cool, and be little better than extinguiſhed.

B. Indeed I believe a Kingdom, if ſuffered to become an old Debt, will hardly ever be recover'd. Beſides, the King was ſure, whereſoever the Victory lighted, he could loſe nothing in the War but Enemies.

A. About the Time of *Montroſſe* his Death, which was in *May*, *Cromwell* was yet in *Ireland*, and his work unfiniſhed: but finding, or by his Friends advertiſed, that his Preſence in the Expedition now preparing againſt the *Scots*, would be neceſſary to his Deſign, ſent to the Rump to know their Pleaſure concerning his Return: but for all that, he knew, or thought it was not neceſſary to ſtay for their Anſwer, but came away, and arrived at *London* the ſixth of *June* following, and was welcomed by the Rump. Now had General *Fairfax* (who was truly what he pretended to be, a Preſbyterian) been ſo catechiſed by the Preſbyterian Miniſters here, that he refuſed to fight againſt the Brethren in *Scotland*; nor did the Rump, nor *Cromwell*, go about to rectify his Conſcience in that Point; and thus *Fairfax* laying down his Commiſſion, *Cromwell* was now made General of all the Forces in *England* and *Ireland*; which was another Step to the Sovereign Power.

B. Where was the King?

A. In *Scotland*, newly come over. He landed in the North, and was honourably conducted to *Edinburgh*, though all things were not yet well agreed on between the *Scots* and him: for though he had yielded to as hard Conditions, as the late King had yielded to in the *Iſle of Wight*, yet they had ſtill ſomewhat to add, till the King enduring no more, departed from them towards the North again. But they ſent Meſſengers after him to pray him to return, but they furniſhed theſe Meſſengers with Strength enough to bring him back if he ſhould have refuſed. In fine, they agreed; but would not ſuffer either the King, or any Royaliſt, to have Command in the Army.

B. The Sum of all is, the King was there a Priſoner.

A. *Cromwell* from *Berwick* ſends a Declaration to the *Scots*, telling them he had no Quarrel againſt the People of *Scotland*; but againſt the malignant Party, that had brought in the King, to the Diſturbance of the Peace between the two Nations; and that he was willing, either by Conference to give and receive Satisfaction, or to decide the Juſtice of the Cauſe by Battle. To which the *Scots* anſwering, declare; That they will not proſecute the King's Intereſt before, and without his Acknowledgment of the Sins of his Houſe, and his former Ways, and Satiſfaction given to God's People in both Kingdoms. Judge by this, whether the preſent King were not in as bad a Condition here, as his Father was in the Hands of the Preſbyterians of *England*.

B. Preſbyterians are every where the ſame: they would fain be abſolute Governors of all they converſe with, and have nothing to plead for it, but that where they reign 'tis God that reigns, and no where elſe: but I obſerve one ſtrange Demand, that the King ſhould acknowledge the Sins of his Houſe; for I thought it had been certainly held by all Divines, that no Man was bound to acknowledge any Man's Sins, but his own.

A. The King having yielded to all that the Church required, the *Scots* proceeded in their intended War. *Cromwell* marched on to *Edinburgh*, provoking them all he could to Battle; which they declining, and Proviſions growing ſcarce in the *Engliſh* Army, *Cromwell* retir'd to *Dunbar*, deſpairing of Succeſs; and intending by Sea or Land to get back into *England*. And ſuch was the Condition, which this General *Cromwell* (ſo much magnified for Conduct) had brought his Army to; that all his Glories had ended in Shame and Puniſhment, if Fortune, and the Faults of his Enemies, had not relieved him. For as he retir'd, the *Scots* followed him cloſe all the Way, till within a Mile of *Dunbar*. There is a Ridge of Hills, that from beyond *Edinburgh* croſſes the Highway between *Dunbar* and *Berwick*, at a Village called *Copperſpeith*, where the Paſſage is ſo difficult, that had the *Scots* ſent timely thither a very few Men to guard it, the *Engliſh* could never have gotten home. For the *Scots* kept the Hills, and needed not have fought but upon great Advantage, and were almoſt two to one. *Cromwell*'s Army was at the Foot of thoſe Hills on the North ſide; and there was a great Ditch or Channel of a Torrent between the Hills and it; ſo that he could never have got home by Land, nor without utter Ruin of the Army attempted to ſhip it; nor have ſtayed where he was for want of Proviſions. Now *Cromwell* knowing the Paſs was free, and commanding a good Party of Horſe and Foot to poſſeſs it; it was neceſſary for the *Scots* to let them go, whom they bragged they had impounded, or elſe to fight; and therefore with the beſt of their Horſe they charged the *Engliſh*, and made them at firſt to ſhrink a little: but the *Engliſh* Foot coming on, the *Scots* were put to Flight; and the Flight of the Horſe hindered the Foot from engaging, who therefore fled, as did alſo the reſt of their Horſe. Thus the Folly of the *Scottiſh* Commanders brought all their Odds to an even Lay, between two ſmall and equal Parties; wherein Fortune gave the Victory to the *Engliſh*, who were not many more in Number than thoſe that were killed and taken Priſoners of the *Scots*, who loſt their Cannon, Bag and Baggage, with 10000 Arms, and almoſt their whole Army. The reſt were got together by *Leſly* to *Sterling*.

B. This Victory happened well for the King; for had the *Scots* been Victors, the Preſbyterians both here and there would have domineered again, and the King been in the ſame Condition his Father was in at *Newcaſtle*, in the Hands of the *Scottiſh* Army. For in the Purſuit of this Victory, the *Engliſh* at laſt brought the *Scots* to a pretty good Habit of Obedience for the King, whenſoever he ſhould recover his Right.

A. In Purſuit of this Victory the *Engliſh* marched to *Edinburgh*, (quitted by the *Scots*) fortified *Leith*, and took in all the Strength and Caſtles they thought fit, on this Side the *Frith*, which now was become the Bound betwixt the two Nations: and the *Scotch* Eccleſiaſtics began to know themſelves better, and reſolved in their new Army, which they meant to raiſe, to admit ſome of the Royaliſts into Command. *Cromwell* from *Edinburgh* marched towards *Sterling*, to provoke the Enemy to fight; but finding Danger in it, returned to *Edinburgh*, and beſieged the Caſtle. In the mean time he ſent a Party into the Weſt of *Scotland* to ſuppreſs *Straughan* and *Kerr*, two great Preſbyterians, that were there levying of Forces for their new Army. And in the ſame Time the *Scots* crowned the King at *Schone*.

The reſt of this Year was ſpent in *Scotland*, on *Cromwell*'s part, in taking of *Edinburgh* Caſtle, and in Attempts to paſs the *Frith*, or any other Ways to get over to the *Scottiſh* Forces; and on the *Scots* part, in haſtening their Levies for the North.

B. What did the Rump at Home during this Time?

A. They voted Liberty of Conſcience to the Sectaries; they pluckt out the Sting of the Preſbytery, which conſiſted in a ſevere impoſing of odd Opinions upon the People, impertinent to Religion, but conducing to the Advancement of the Power of the Preſbyterian Miniſters. Alſo they levied more Soldiers, and gave the Command of them to *Harriſon*, now made Major-General, a Fifth-monarchy-man; and of theſe Soldiers two Regiments of Horſe and one of Foot were raiſed by the Fifth-monarchy-men, and other Sectaries, in Thankfulneſs for this their Liberty from the Preſbyterian Tyranny. Alſo they pulled down the late King's

Statue in the Exchange; and in the Nich where it ſtood, cauſed to be written theſe Words, *Exit Tyrannus Regum ultimus*, &c.

B. What Good did that do them, and why did they not pull down the Statues of all the reſt of the Kings?

A. What Account can be given of Actions that proceeded not from Reaſon, but Spight, and ſuch like Paſſions? Beſides this, they received Ambaſſadors from *Portugal* and from *Spain*, acknowledging their Power. And in the very End of the Year they prepared Ambaſſadors to the *Netherlands*, to offer them Friendſhip. All they did beſides was perſecuting and executing of Royaliſts.

In the Beginning of the Year 1651, General *Dean* arrived in *Scotland*; and on the 11th of of *April* the *Scottiſh* Parliament aſſembled, and made certain Acts, in order to a better uniting of themſelves, and better Obedience to the King, who was now at *Sterling* with the *Scottiſh* Forces he had, expecting more now in levying. *Cromwell* from *Edinburgh* went divers times towards *Sterling*, to provoke the *Scots* to fight. There was no Ford there to paſs over his Men; at laſt Boats being come from *London* and *Newcaſtle*, Colonel *Overton* (though it were long firſt, for it was now *July)* tranſported 1400 Foot of his own, beſides another Regiment of Foot, and four Troops of Horſe, and intrenched himſelf at *North-ferry* on the other ſide; and before any Help could come from *Sterling*, Major-General *Lambert* alſo was got over with as many more. By this Time Sir *John Browne* was come to oppoſe them with 4500 Men, whom the *Engliſh* there defeated, killing about 2000, and taking Priſoners 1600. This done, and as much more of the Army tranſported as was thought fit, *Cromwell* comes before St. *Johnſton*'s (from whence the *Scottiſh* Parliament, upon the News of his paſſing the *Frith*, was removed to *Dundee)* and ſummons it; and the ſame Day had News brought him that the King was marching from *Sterling* towards *England*, which was true; but notwithſtanding the King was three Days March before him, he reſolved to have the Town before he followed him; and accordingly had it the next Day by Surrender.

B. What Hopes had the King in coming into *England*, having before and behind him none, at leaſt none armed, but his Enemies?

A. Yes; there was before him the City of *London*, which generally hated the Rump: and might eaſily be reckoned for 20000 well armed Soldiers; and moſt Men believed they would take his Part, had he come near the City.

B. What Probability was there of that? Do you think the Rump was not ſure of the Service of the Mayor, and thoſe that had Command of the City Militia? And if they had been really the King's Friends, what Need had they to ſtay for his coming up to *London?* They might have ſeized the Rump, if they had pleaſed, which had no Poſſibility of defending themſelves; at leaſt they might have turned them out of the Houſe.

A. This they did not; but on the contrary permitted the Recruiting of *Cromwell*'s Army, and the raiſing of Men to keep the Country from coming in to the King. The King began his March from *Sterling* the laſt of *July*, and *Auguſt* the 22d came to *Worceſter* by the Way of *Carliſle*, with a weary Army of about 13000, whom *Cromwell* followed, and joining with the new Levies, environ'd *Worceſter* with 40000, and on the 3d of *September* utterly defeated the King's Army. Here Duke *Hamilton*, Brother of him that was beheaded, was ſlain.

B. What became of the King?

A. Night coming on, before the City was quite taken, he left it, it being dark, and none of the Enemies Horſe within the Town to follow him, the plundering Foot having kept the Gates ſhut, leſt the Horſe ſhould enter and have a Share of the Booty. The King before Morning got into *Warwickſhire*, twenty-five Miles from *Worceſter*, and there lay diſguiſed a while, and afterwards went up and down in great Danger of being diſcovered, till at laſt he got over into *France* from *Brighthemſted* in *Suſſex*.

B. When *Cromwell* was gone, what was farther done in *Scotland?*

A. Lieutenant-General *Monk,* whom *Cromwell* left there with 7000, took *Sterling, Auguſt* 14th, by Surrender, and *Dundee* the third of *September*, by Storm, becauſe it reſiſted; this the Soldiers plundered, and had good Booty, becauſe the *Scots* for Safety had ſent thither their moſt precious Goods from *Edinburgh* and *St. Johnſton.* He took likewiſe by Surrender *Aberdeen*, and (the Place where the *Scottiſh* Miniſters firſt learned to play the Fools) *St. Andrew*'s. Alſo in the *Highlands* Colonel *Alured* took a Knot of Lords and Gentlemen, *viz.* four Earls, and four Lords, and above twenty Knights and Gentlemen, whom he ſent Priſoners into *England.* So that there was nothing more to be feared from *Scotland*; all the Trouble of the Rump, being to reſolve what they ſhould do with it. At laſt they reſolved to unite and incorporate it into one Commonwealth with *England* and *Ireland.* And to that End ſent thither *St. Johns, Vane,* and other Commiſſioners, to offer them this Union by public Declaration, and to warn them to chuſe their Deputies of Shires, and Burgeſſes of Towns, and ſend them to *Weſtminſter.*

B. This was a very great Favour.

A. I think ſo: and yet it was by many of the *Scots,* eſpecially by the Miniſters and other Preſbyterians, refuſed. The Miniſters had given Way to the levying of Money for the Payment of the *Engliſh* Soldiers; but to comply with the Declaration of the *Engliſh* Commiſſioners they abſolutely forbad.

B. Methinks this contributing to the Pay of their Conquerors was ſome Mark of Servitude; whereas entering into the Union made them free, and gave them equal Privilege with the *Engliſh.*

A. The Cauſe why they refuſed the Union, render'd by the Preſbyterians themſelves, was this, That it drew with it a Subordination of the Church to the Civil State in the Things of Chriſt.

B. This is a downright Declaration to all Kings and Commonwealths in general, that a Preſbyterian Miniſter will be a true Subject to none of them in the Things of Chriſt, which Things what they are, they will be Judges themſelves. What have we then gotten by our Deliverance from the Pope's Tyranny, if theſe petty Men ſucceed in the Place of it, that have nothing in them that can be beneficial to the Public, except their Silence? For their Learning, it amounts to no more than an imperfect Knowledge of *Greek* and *Latin,* and an acquired Readineſs in the Scripture Language, with a Geſture and Tone ſuitable thereunto; but of Juſtice and Charity (the Manners of Religion) they have neither Knowledge nor Practice, as is manifeſt by the Stories I have already told you: Nor do they diſtinguiſh between the Godly and the Ungodly, but by Conformity of Deſign in Men of Judgment, or by Repetition of their Sermons in the common Sort of People.

A. But this Sullenneſs of the *Scots* was to no Purpoſe: for they at *Weſtminſter* enacted the Union of the two Nations, and the Abolition of Monarchy in *Scotland,* and ordained Puniſhment for thoſe that would tranſgreſs that Act.

B. What other Buſineſs did the Rump this Year?

A. They ſent *St. Johns* and *Strickland* Ambaſſadors to the *Hague,* to offer League to the United Provinces, who had Audience *March* the third. *St. Johns* in a Speech ſhewed thoſe States, what Advantages they might have by this League in their Trade and Navigations, by the Uſe of the *Engliſh* Ports and Harbours. The *Dutch,* though they ſhewed no great Forwardneſs in the Buſineſs, yet appointed Commiſſioners to treat with them about it. But the People were generally againſt it, calling the Ambaſſadors and their Followers (as they were) Traitors and Murderers, and made ſuch Tumults about their Houſe, that their Followers durſt not go abroad till the States had quieted them. The Rump advertiſed hereof, preſently recall'd them. The Compliment which *St. Johns* gave to the Commiſſioners, at their taking Leave, is worth your hearing. *You have,* ſaid he, *an Eye upon the Event of the Affairs of* Scotland, *and therefore do refuſe the Friendſhip we have offered. Now I can aſſure you, many in the Parliament were of Opinion, that we ſhould not have ſent* *any Ambaſſadors to you, till we had ſuperated thoſe Matters between them and that King, and then expected your Ambaſſadors to us. I now perceive our Error, and that thoſe Gentlemen were in the right. In a ſhort Time you ſhall ſee that Buſineſs ended; and then you will come and ſeek what we have freely offered, when it ſhall perplex you that you have refuſed our Proffer.*

B. St. Johns was not ſure that the *Scottiſh* Buſineſs would end as it did. For though the *Scots* were beaten at *Dunbar*, he could not be ſure of the Event of their entering *England*, which happened afterward.

A. But he gueſs'd well: for within a Month after the Battle at *Worceſter* an Act paſſed, forbidding the importing of Merchandiſe in other than *Engliſh* Ships. The *Engliſh* alſo moleſted their Fiſhing upon our Coaſt. They alſo many times ſearched their Ships, (upon Occaſion of our War with *France)* and made ſome of them Prize. And then the *Dutch* ſent their Ambaſſadors hither, to deſire what they before refuſed; but partly alſo to inform themſelves what Naval Forces the *Engliſh* had ready, and how the People here were contented with the Government.

B. How ſped they?

A. The Rump ſhewed now as little Deſire of Agreement as the *Dutch* did then; ſtanding upon Terms never likely to be granted. Firſt; for the Fiſhing on the *Engliſh* Coaſt, that they ſhould not have it without paying for it. Secondly, that the *Engliſh* ſhould have free Trade from *Middleburgh* to *Antwerp*, as they had before their Rebellion againſt the King of *Spain*. Thirdly, they demanded Amends for the old (but never to be forgotten) Buſineſs of *Amboyna:* So that the War was already certain, though the Seaſon kept them from Action till the Spring following. The true Quarrel on the *Engliſh* part was, that their proffer'd Friendſhip was ſcorned, and their Ambaſſadors affronted: On the *Dutch* part was, their Greedineſs to engroſs all Traffic, and a falſe Eſtimate of our and their own Strength.

Whilſt theſe Things were doing, the Relics of the War, both in *Ireland* and *Scotland*, were not neglected, though thoſe Nations were not fully pacified till two Years after. The Perſecution alſo of Royaliſts ſtill continued, amongſt whom was beheaded one Mr. *Love*, for holding Correſpondence with the King.

B. I had thought a Preſbyterian Miniſter, whilſt he was ſuch, could not be a Royaliſt, becauſe they think their Aſſembly have the ſupreme Power in the Things of Chriſt; and by conſequence they are in *England* (by a Statute) Traitors.

A. You may think ſo ſtill: for though I called Mr. *Love* a Royaliſt, I meant it only for that one Act, for which he was condemn'd. It was he, who during the Treaty at *Uxbridge*, preaching before the Commiſſioners there, ſaid, it was as poſſible for Heaven and Hell, as for the King and Parliament to agree. Both he and the reſt of the Preſbyterians are and were Enemies to the King's Enemies, *Cromwell* and his Fanatics, for their own, not for the King's Sake. Their Loyalty was like that of Sir *John Hotham*'s, that kept the King out of *Hull*, and afterwards would have betray'd the ſame to the Marquiſs of *Newcaſtle*. Theſe Preſbyterians therefore cannot be rightly called Loyal, but rather doubly perfidious, unleſs you think, that as two Negatives make an Affirmative, ſo two Treaſons make Loyalty.

This Year alſo were reduced to the Obedience of the Rump, the Iſlands of *Scilly* and *Man*, and the *Barbadoes*, and St. *Chriſtophers*. One Thing fell out that they liked not, which was, that *Cromwell* gave them Warning to determine their Sitting, according to the Bill for Triennial Parliaments.

B. That I think indeed was harſh.

A. In the Year 1652, *May* the 14th, began the *Dutch* War in this manner: Three *Dutch* Men of War, with divers Merchants from the *Streights*, being diſcovered by one Captain *Young*, who commanded ſome *Engliſh* Frigates, the ſaid *Young* ſent to their Admiral to bid him ſtrike his Flag, (a Thing uſually done in Acknowledgment of the *Engliſh* Dominion in the narrow Seas) which accordingly he did. Then came up the Vice-Admiral, and being called to as the other was, to take down his Flag; he anſwered plainly, he would not: but after the Exchange of four or five Broadſides, and Miſchief done, on either Part, he took it down: but Captain *Young* demanded alſo, either the Vice-Admiral himſelf, or his Ship, to make good the Damage already ſuſtained: To which the Vice-Admiral anſwer'd, that he had taken in his Flag, but would defend himſelf and his Ship. Whereupon Captain *Young* conſulted with the Captains of his other Ships, leſt the Beginning of the War, in this Time of Treaty, ſhould be charged upon himſelf, and Night alſo coming on, thought fit to proceed no farther.

B. The War certainly began at this Time; but who began it?

A. The Dominion of the Seas belonging to the *Engliſh*, there can be no queſtion but the *Dutch* began it: and that the ſaid Dominion belonged to the *Engliſh*, it was confeſſed at firſt by the Admiral himſelf peaceably, and at laſt by the Vice-Admiral taking in their Flags.

About a Fortnight after, there happened another Fight upon the like Occaſion. *Van Tromp* with forty-two Men of War came to the Back of the *Goodwin-Sands*, (Major *Bourne* being then with a few of the Parliament's Ships in the *Downs*, and *Blake* with the reſt farther Weſtward) and ſent two Captains of his to *Bourne*, to excuſe his coming thither. To whom *Bourne* returned this Anſwer; That the Meſſage was civil, but that it might appear real he ought to depart. So *Tromp* departed, meaning, now *Bourne* was ſatisfied, to ſail towards *Blake*, and he did ſo; but ſo did alſo *Bourne*, for fear of the worſt. When *Tromp* and *Blake* were near one another, *Blake* made a Shot over *Tromp*'s Ship, as a Warning to him to take in his Flag. This he did thrice, and then *Tromp* gave him a Broadſide, and ſo began the Fight, at the Beginning whereof *Bourne* came in, and laſted from two o'Clock till Night, the *Engliſh* having the better, and the Flag, as before, making the Quarrel.

B. What needs there, when both Nations were heartily reſolved to fight, to ſtand ſo much upon this Compliment of who ſhould begin? for as to the gaining of Friends and Confederates thereby, I think it was in vain; ſeeing Princes and States in ſuch Occaſions look not much upon the Juſtice of their Neighbours, but upon their own Concernment in the Event.

A. It is commonly ſo; but in this Caſe the *Dutch* knowing the Dominion of the narrow Seas to be a gallant Title, and envied by all the Nations that reach the Shore, and conſequently that they were likely to oppoſe it, did wiſely enough in making this Point the State of the Quarrel. After this Fight, the *Dutch* Ambaſſadors reſiding in *England*, ſent a Paper to the Council of State, wherein they ſtiled this laſt Encounter a raſh Action, and affirmed it was done without the Knowledge, and againſt the Will, of their Lords the States General, and deſired them that nothing might be done upon it in Heat, which might become irreparable. The Parliament thereupon voted; 1. That the States-General ſhould pay the Charges they were at, and for the Damages they ſuſtained upon this Occaſion. 2. That this being paid, there ſhould be a Ceſſation of all Acts of Hoſtility, and a mutual Reſtitution of all Ships and Goods taken. 3. And both theſe agreed to, that there ſhould be made a League between the two Commonwealths. Theſe Votes were ſent to the *Dutch* Ambaſſadors in anſwer of the ſaid Paper; but with a Preamble, ſetting forth the former Kindneſſes of *England* to the *Netherlands*, and taking Notice of their new Fleet of 150 Men of War, without any other apparent Deſign than the Deſtruction of the *Engliſh* Fleet.

B. What Anſwer made the *Dutch* to this?

A. None. *Tromp* ſailed preſently into *Zealand*, and *Blake* with ſeventy Men of War to the *Orkney* Iſlands, to ſeize their Buſſes, and to wait for five *Dutch* Ships from the *Eaſt-Indies*. And Sir *George Aſcue*, newly returned from *Barbadoes*, came into the *Downs* with fifteen Men of War, where he was commanded to ſtay for a Recruit out of the *Thames*.

Tromp being recruited now to 120 Sail, made account to get in between Sir *George Aſcue* and the Mouth of the River, but was hindered ſo long by contrary Winds, that the Merchants calling for his Convoy, he could ſtay no longer, and ſo he went back into *Holland*, and thence to *Orkney*, where he met with the ſaid five *Eaſt-India* Ships, and ſent them Home. And then he endeavoured to engage with *Blake*, but a ſudden Storm forced him to Sea, and ſo diſſipated his Fleet, that only forty-two came came home in Body, the reſt ſingly, as well as they could. *Blake* alſo came home, but went firſt to the Coaſt of *Holland* with nine hundred Priſoners, and ſix Men of War taken, which were Part of twelve which he found and took guarding their Buſſes. This was the firſt Bout after the War declared.

In *Auguſt* following there happened a Fight between *De Ruitter* the Admiral of *Zealand*, with fifty Men of War, and Sir *George Aſcue*, near *Plymouth*, with forty, wherein Sir *George* had the better, and might have got an entire Victory, had the whole Fleet engaged. Whatſoever was the Matter, the Rump (though they rewarded him) never employed him after his Return, in their Service at Sea: But voted, for the Year to come, three Generals, *Blake* that was one already, and *Dean*, and *Monk*.

About this Time the Arch-Duke *Leopold* beſieging *Dunkirk*, and the *French* ſending a Fleet to relieve it, General *Blake* lighting on the *French* at *Calais*, and taking ſeven of their Ships, was Cauſe of the Town's Surrender.

In *September* they fought again, *De Wit* and *Ruitter* commanding the *Dutch*, and *Blake* the *Engliſh*, and the *Dutch* were again worſted.

Again in the end of *November Van Tromp* with eighty Men of War, ſhewed himſelf at the back of *Goodwin Sands*; where *Blake*, though he had with him but forty, adventured to fight with him, and had much the worſt, and (Night parting the Fray) retir'd into the River of *Thames*; whilſt *Van Tromp* keeping the Sea, took ſome inconſiderable Veſſels from the *Engliſh*, and thereupon (as it was ſaid) with a childiſh Vanity, hung out a Broom from the Main-top-maſt, ſignifying he meant to ſweep the Seas of all *Engliſh* Shipping.

After this, in *February*, the *Dutch* with *Van Tromp* were encountered by the *Engliſh* under *Blake* and *Dean*, near *Portſmouth*, and had the worſt. And theſe were all the Encounters between them in this Year, in the narrow Seas. They fought alſo once at *Leghorn*, where the *Dutch* had the better.

B. I ſee no great odds yet on either Side, if there were any the *Engliſh* had it.

A. Nor did either of them e'er the more incline to Peace. For the *Hollanders*, after they had ſent Ambaſſadors into *Denmark*, *Sweden*, *Poland*, and the *Hans-Towns*, (whence Tar and Cordage are uſually had) to ſignify the Declaration of the War, and to get them to their Party, recalled their Ambaſſadors from *England*; and the Rump, without Delay, gave them their parting Audience; without abating a Syllable of their former ſevere Propoſitions. And preſently, to maintain the War for the next Year, laid a Tax upon the People of 120000 *l*. *per Menſem*.

B. What was done in the mean time at Home?

A. *Cromwell* was now quarrelling with (the laſt and greateſt Obſtacle to his Deſign) the Rump. And to that End there came out daily from the Army Petitions, Addreſſes, Remonſtrances, and other ſuch Papers: Some of them urging the Rump to diſſolve themſelves, and make Way for another Parliament. To which the Rump unwilling to yield, and not daring to refuſe, determined for the End of their ſitting the Fifth of *November* 1654. But *Cromwell* meant not to ſtay ſo long. In the mean Time the Army in *Ireland* was taking Submiſſions, and granting Tranſportations of the *Iriſh*, and condemning whom they pleas'd in a High Court of Juſtice erected there for that Purpoſe. Amongſt thoſe that were executed was hang'd Sir *Phelim Oneale*, who firſt began the Rebellion.

In *Scotland* the *Engliſh* built ſome Citadels for the bridling of that ſtubborn Nation: And thus ended the Year 1652.

B. Come we then to the Year 1653.

A. Cromwell wanted now but one Step to the End of his Ambition, and that was to ſet his Foot upon the Neck of this Long Parliament, which he did the 23d of *April*, this preſent Year 1653, a Time very ſeaſonable. For though the *Dutch* were not maſtered, they were much weakened; and what with Prizes from the Enemy, and ſqueezing the Royal Party, the Treaſury was pretty full, and the Tax of 120000 *l.* a Month began to come in; all which was his own in right of the Army.

Therefore without more ado, attended by the Major-Generals *Lambert* and *Harriſon*, and ſome other Officers, and as many Soldiers as he thought fit, he went to the Parliament Houſe, and diſſolved them, turned them out, and locked up the Doors. And for this Action he was more applauded by the People, than for any of his Victories in the War, and the Parliament Men as much ſcorned and derided.

B. Now that there was no Parliament, who had the ſupreme Power?

A. If by Power you mean the Right to govern, nobody had it: if you mean the ſupreme Strength, it was clearly in *Cromwell*, who was obeyed as General of all the Forces in *England*, *Scotland*, and *Ireland*.

B. Did he pretend that for Title?

A. No: but preſently after he invented a Title, which was this; That he was neceſſitated for the Defence of the Cauſe, for which at firſt the Parliament had taken up Arms, (that is to ſay, rebelled) to have Recourſe to extraordinary Actions. You know the Pretence of the Long Parliament's Rebellion was *Salus Populi*, The Safety of the Nation againſt a dangerous Conſpiracy of Papiſts, and a malignant Party at home, and that every Man is bound, as far as his Power extends, to procure the Safety of the whole Nation: (which none but the Army were able to do; and the Parliament had hitherto neglected) was it not then the General's Duty to do it? Had he not therefore Right? For that Law of *Salus Populi* is directed only to thoſe that have Power enough to defend the People; that is, to them that have the ſupreme Power.

B. Yes certainly, he had as good a Title as the Long Parliament, but the Long Parliament did repreſent the People; and it ſeems to me, that the ſovereign Power is eſſentially annexed to the Repreſentative of the People.

A. Yes, if he that makes a Repreſentative, that is, (in the preſent Caſe) the King, do call them together to receive the ſovereign Power, and he diveſt himſelf thereof; otherwiſe not. Nor was ever the Lower Houſe of Parliament the Repreſentative of the whole Nation, but of the Commons only; nor had that Houſe the Power to oblige, by their Acts, or Ordinances, any Lord, or any Prieſt.

B. Did *Cromwell* come in upon the only Title of *Salus Populi*?

A. This is a Title that very few Men underſtand. His way was to get the ſupreme Power conferred upon him by Parliament. Therefore he called a Parliament, and gave it the ſupreme Power, to the end that they ſhould give it to him again. Was not this witty? Firſt therefore, he publiſhed a Declaration of the Cauſes why he diſſolved the Parliament. The Sum whereof was, that inſtead of endeavouring to promote the Good of God's People, they endeavoured (by a Bill then ready to paſs) to recruit the Houſe, and perpetuate their own Power. Next he conſtituted a Council of State of his own Creatures, to be the ſupreme Authority of *England*; but no longer than till the next Parliament ſhould be called, and met. Thirdly, he ſummoned 142 Perſons, ſuch as he himſelf, or his truſty Officers, made Choice of: the greateſt part of whom were inſtructed what to do, obſcure Perſons, and moſt of them Fanatics, though ſtiled by *Cromwell* Men of approved Fidelity and Honeſty. To theſe the Council of State ſurrendered the ſupreme Authority, and not long after theſe Men ſurrendered it to *Cromwell*. *July* the 4th this Parliament met, and choſe for their Speaker one Mr. *Rous*, and called themſelves from that Time forward the Parliament of *England*: but *Cromwell*, for the more Surety, conſtituted alſo a Council of State, not of ſuch petty Fellows as moſt of theſe were, but of himſelf, and his principal Officers. Theſe did all the Buſineſs both public and private, making Ordinances, and giving Audience to Foreign Ambaſſadors. But he had now more Enemies than before. *Harriſon*, who was the Head of the Fifth-monarchy-men, laying down his Commiſſion, did nothing but animate his Party againſt him; for which afterwards he was impriſoned. This little Parliament in the mean time were making of Acts ſo ridiculous, and diſpleaſing to the People, that it was thought he choſe them on Purpoſe to bring all ruling Parliaments into Contempt, and Monarchy again into Credit.

B. What Acts were theſe?

A. One of them was, That all Marriages ſhould be made by a Juſtice of Peace, and the Banns aſked three ſeveral Days in the next Market: None were forbidden to be married by a Miniſter, but without a Juſtice of Peace the Marriage was to be void: So that divers wary Couples (to be ſure of one another, howſoever they might repent it afterwards) were married both ways. Alſo they abrogated the Engagement, whereby no Man was admitted to ſue in any Court of Law, that had not taken it, that is, that had not acknowledged the late Rump.

B. Neither of theſe did any Hurt to *Cromwell*.

A. They were alſo in hand with an Act to cancel all the preſent Laws and Law-Books, and to make a new Code more ſuitable to the Humour of the Fifth-monarchy-men; of whom there were many in this Parliament. Their Tenet being, that there ought none to be Sovereign, but King *Jeſus*, nor any to govern under him, but the Saints. But their Authority ended before this Act paſſed.

B. What was this to *Cromwell*?

A. Nothing yet. But they were likewiſe upon an Act, now almoſt ready for the Queſtion: That Parliaments henceforward, one upon the End of another, ſhould be perpetual.

B. I underſtand not this, unleſs Parliaments can beget one another like Animals, or like the Phœnix.

A. Why not like the Phœnix? Cannot a Parliament at the Day of their Expiration ſend out Writs for a new one?

B. Do you think they would not rather ſummon themſelves anew, and to ſave the Labour of coming again to *Weſtminſter*, ſit ſtill where they were? Or if they ſummon the Country to make new Elections, and then diſſolve themſelves, by what Authority ſhall the People meet in their Country Courts, there being no ſupreme Authority ſtanding?

A. All they did was abſurd, though they knew not that; no nor this, whoſe Deſign was upon the Sovereignty, the Contriver of this Act, it ſeems, perceived not, but *Cromwell*'s Party in the Houſe ſaw it well enough. And therefore, as ſoon as it was laid, there ſtood up one of the Members, and made a Motion, that ſince the Commonwealth was like to receive little Benefit by their ſitting, they ſhould diſſolve themſelves. *Harriſon*, and they of his Sect, were troubled hereat, and made Speeches againſt it: but *Cromwell*'s Party, of whom the Speaker was one, left the Houſe, and with the Mace before them went to *Whitehall*, and ſurrender'd their Power to *Cromwell* that had given it them. And ſo he got the Sovereignty by an Act of Parliament, and within four Days after, *viz. December* the 16th, was inſtalled Protector of the three Nations, and took his Oath to obſerve certain Rules of governing, ingroſſed in Parchment, and read before him: The Writing was called the Inſtrument.

B. What were the Rules he ſwore to?

A. One was to call a Parliament every third Year, of which the firſt was to begin *September* the 3d following.

B. I believe he was a little ſuperſtitious in the Choice of *September* the 3d, becauſe it was lucky to him in 1650, and 1651, at *Dunbar*, and *Worceſter*; but he knew not how lucky the ſame would be to the whole Nation in 1658, at *Whitehall*.

A. Another was, That no Parliament ſhould be diſſolved, till it had ſitten five Months; and thoſe Bills that they preſented to him, ſhould be paſſed by him within twenty Days, or elſe they ſhould paſs without him.

A third, That he ſhould have a Council of State of not above twenty-one, nor under thirteen; and that upon the Protector's Death this Council ſhould meet, and before they parted chuſe a new Protector. There were many more beſides, but not neceſſary to be inſerted.

B. How went on the War againſt the *Dutch*?

A. The Generals for the *Engliſh* were *Blake*, and *Dean*, and *Monk*; and *Van Tromp* for the *Dutch*; between whom was a Battle fought the ſecond of *June*, (which was a Month before the beginning of this little Parliament) wherein the *Engliſh* had the Victory, and drove the Enemies into their Harbours, but with the Loſs of General *Dean*, ſlain by a Cannon-ſhot. This Victory was great enough to make the *Dutch* ſend over Ambaſſadors into *England* in order to a Treaty; but in the mean time they prepared and put to Sea another Fleet, which likewiſe, in the End of *July*, was defeated by General *Monk*, who got now a greater Victory than before: and this made the *Dutch* deſcend ſo far as to buy their Peace with the Payment of the Charge of the War, and with the Acknowledgment, amongſt other Articles, that the *Engliſh* had the Right of the Flag. This Peace was concluded in *March*, being the End of this Year: but not proclaimed till *April*; the Money, it ſeems, being not paid till then.

The *Dutch* War being now ended, the Protector ſent his youngeſt Son *Henry* into *Ireland*, whom alſo ſome time after he made Lieutenant there; and ſent *Monk* Lieutenant-General into *Scotland*, to keep thoſe Nations in Obedience. Nothing elſe worth remembring was done this Year at home; ſaving the Diſcovery of a Plot of Royaliſts (as was ſaid) upon the Life of the Protector, who all this while had Intelligence of the King's Deſigns from a Traitor in his Court, who afterwards was taken in the Manner and killed.

B. How came he into ſo much Truſt with the King?

A. He was the Son of a Colonel that was ſlain in the Wars on the late King's Side. Beſides, he pretended Employment from the King's loyal and loving Subjects here, to convey to his Majeſty Money, as they from Time to Time ſhould ſend him; and to make this credible, *Cromwell* himſelf cauſed Money to be ſent to him.

The following Year 1654, had nothing of War, but was ſpent in Civil Ordinances, in appointing of Judges, preventing of Plots, (for Uſurpers are jealous) and in executing the King's Friends, and ſelling their Lands. The third of *September*, according to the Inſtrument, the Parliament met, in which there was no Houſe of Lords; and the Houſe of Commons was made, as formerly, of Knights and Burgeſſes; but not as formerly, of two Burgeſſes for a Borough, and two Knights for a County: for Boroughs for the moſt part had but one Burgeſs, and ſome Counties ſix or ſeven Knights: Beſides, there were twenty Members for *Scotland*, and as many for *Ireland*. So that now *Cromwell* had nothing elſe to do, but to ſhew his Art of Government upon ſix Coach-Horſes newly preſented him, which being as rebellious as himſelf, threw him out of the Coach-box, and almoſt killed him.

B. This Parliament which had ſeen how *Cromwell* had handled the two former, the Long one and the Short one, had ſurely learn'd the Wit to behave themſelves better to him, than thoſe had done.

A. Yes, eſpecially now that *Cromwell*, in his Speech at their firſt Meeting, had expreſly forbidden them to meddle, either with the Government by a ſingle Perſon and Parliament, or with the Militia, or with perpetuating of Parliaments, or taking away Liberty of Conſcience: and told them alſo, that every Member of the Houſe, before they ſat, muſt take a Recognition of his Power in divers Points. Whereupon of above 400 there appeared not above 200 at firſt; though afterwards, ſome relenting, there ſat about 300. Again, juſt at their ſitting down, he publiſhed ſome Ordinances of his own, bearing Date before their Meeting; that they might ſee he took his own Acts to be as valid as theirs. But all this could not make them know themſelves. They proceeded to the Debate of every Article of the Recognition.

B. They ſhould have debated that before they had taken it.

A. But then they had never been ſuffered to ſit.

Cromwell being informed of their ſtubborn Proceedings, and out of Hope of any Supply from them, diſſolved them.

All that paſſed beſides in this Year was the Exerciſe of the High Court of Juſtice upon ſome Royaliſts for Plots.

In the Year 1655, the *Engliſh*, to the Number of near 10000, landed in *Hiſpaniola* in hope of the Plunder of the Gold and Silver, whereof they thought there was great abundance in the Town of *Santo Domingo*; but were well beaten by a few *Spaniards*; and with the loſs of near 1000 Men, went off to *Jamaica* and poſſeſſed it.

This Year alſo the Royal Party made another Attempt in the Weſt; and proclaimed there King *Charles* the Second: but few joining with them, and ſome falling off, they were ſoon ſuppreſſed, and many of the principal Perſons executed.

B. In theſe many Inſurrections the Royaliſts, though they meant well, yet they did but Diſſervice to the King by their Impatience. What Hope had they to prevail againſt ſo great an Army as the Protector had ready; What Cauſe was there to deſpair of ſeeing the King's Buſineſs done better by the Diſſention and Ambition of the great Commanders in that Army; whereof many had the Favour to be as well eſteemed amongſt them as *Cromwell* himſelf?

A. That was ſomewhat uncertain. The Protector being fruſtrated of his hope of Money at *Santo Domingo*, reſolved to take from the Royaliſts the Tenth part yearly of their Eſtates. And to this End chiefly he divided *England* into eleven Major-Generalſhips, with Commiſſion to every Major-General to make a Roll of the Names of all ſuſpected Perſons of the King's Party, and to receive the Tenth part of their Eſtates within his Precinct; as alſo to take Caution from them not to act againſt the State; and to reveal all Plots that ſhould come to their Knowledge, and to make them engage the like for their Servants. They had Commiſſion alſo to forbid Horſe-races and Concourſe of People, and to receive and account for this Decimation.

B. By this the Uſurper might eaſily inform himſelf of the Value of all the Eſtates in *England*, and of the Behaviour and Affection of every Perſon of Quality; which has heretofore been taken for very great Tyranny.

A. The Year 1656, was a Parliament Year by the Inſtrument. Between the Beginning of this Year, and the Day of the Parliament's ſitting, which was *September* the 17th, theſe Major-Generals reſided in ſeveral Provinces, behaving themſelves moſt tyrannically. Amongſt other of their Tyrannies was the awing of Elections, and making themſelves, and whom they pleaſed, to be returned Members for the Parliament, which was alſo thought a part of *Cromwell*'s Deſign in their Conſtitution: for he had need of a giving Parliament, having lately upon a Peace made with the *French*, drawn upon himſelf a War with *Spain*.

This Year it was that Captain *Stainer* ſet upon the *Spaniſh* Plate-fleet, being eight in Number, near *Cadiz*, whereof he ſunk two and took two, there being in one of them Two Millions of Pieces of Eight, which amounts to 400000 *l.* Sterling.

This Year alſo it was that *James Naylor* appeared at *Briſtol*, and would be taken for Jeſus Chriſt. He wore his Beard forked, and his Hair compoſed to the Likeneſs of that in the *Volto Santo*; and being queſtioned, would ſometime anſwer, *Thou ſayeſt it.* He had alſo his Diſciples, that would go by his Horſe ſide, to the Mid-leg in Dirt. Being ſent for by the Parliament, he was ſentenced to ſtand on the Pillory, to have his Tongue bored through, and to be marked in the Fore-head with the Letter B. for Blaſphemy, and to remain in *Bridewell*. *Lambert*, a great Favourite of the Army, endeavoured to ſave him, partly becauſe he had been his Soldier, and partly to curry Favour with the Secretaries of the Army; for he was now no more in the Protector's Favour, but meditating how he might ſucceed him in his Power.

About two Years before this, there appeared in *Cornwall* a Propheteſs, much famed for her Dreams and Viſions, and hearkened to by many, whereof ſome were eminent Officers; but ſhe and ſome of her Accomplices being impriſoned, we heard no more of her.

B. I have heard of another, one *Lilly*, that propheſied all the time of the Long Parliament. What did they to him?

A. His Prophecies were of another kind; he was a Writer of Almanacks, and a Pretender to a pretended Art of Judicial Aſtrology; a mere Cozener to get Maintenance from a Multitude of ignorant People, and no doubt had been called in queſtion, if his Prophecies had been any way diſadvantageous to that Parliament.

B. I underſtand not how the Dreams and Prognoſtications of Madmen (for ſuch I take to be all thoſe that foretell future Contingencies) can be of any great Diſadvantage to the Commonwealth.[1]

A. Yes, yes: Know, there is nothing that renders human Counſels difficult, but the Uncertainty of future Time, nor that ſo well directs Men in their Deliberations, as the Foreſight of the Sequels of their Actions; Prophecy being many times the principal Cauſe of the Event foretold. If upon ſome Prediction the People ſhould have been made confident, that *Oliver Cromwell* and his Army ſhould be upon a Day to come utterly defeated; would not every one have endeavoured to aſſiſt, and to deſerve well of the Party that ſhould give him that Defeat? Upon this Account it was, that Fortune-tellers and Aſtrologers were ſo often baniſhed out of *Rome*.

The laſt memorable Thing of this Year was a Motion made by a Member of the Houſe, an Alderman of *London*, that the Protector might be petitioned and adviſed by the Houſe, to leave the Title of Protector, and take upon him that of King.

B. That was indeed a bold Motion, and which would, if proſperous, have put an End to many Men's Ambition, and to the Licentiouſneſs of the whole Army. I think the Motion was made on purpoſe to ruin both the Protector himſelf, and his ambitious Officers.

A. It may be ſo. In the Year 1657, the firſt Thing the Parliament did was the drawing up of this Petition to the Protector, to take upon him the Government of the three Nations, with the Title of *King*. As of other Parliaments, ſo of this, the greateſt part had been either kept out of the Houſe by Force, or elſe themſelves had forborn to ſit, and became guilty of ſetting up this King *Oliver*. But thoſe few that ſate preſented their Petition to the Protector, *April* the ninth, in the Banqueting-Houſe at *Whitehall*, where Sir *Thomas Widdrington* the Speaker uſed the firſt Arguments, and the Protector deſired ſome Time to ſeek God, the Buſineſs being weighty. The next Day they ſent a Committee to him to receive his Anſwer; which Anſwer being not very clear, they preſſed him again for a Reſolution: to which he made Anſwer in a long Speech, that ended in a peremptory Refuſal: and ſo retaining ſtill the Title of Protector, he took upon him the Government according to certain Articles contain'd in the ſaid Petition.

B. What made him refuſe the Title of King?

A. Becauſe he durſt not take it at that Time; the Army, being addicted to their great Officers, and amongſt their great Officers many hoping to ſucceed him, and the Succeſſion having been promiſed to Major-General *Lambert*, would have mutiny'd againſt him. He was therefore forced to ſtay for a more propitious Conjuncture.

B. What were thoſe Articles?

A. The moſt important of them were, firſt, That he would exerciſe the Office of Chief Magiſtrate of *England*, *Scotland*, and *Ireland*, under the Title of Protector, and govern the ſame according to the ſaid Petition and Advice: and that he would in his Life-time name his Succeſſor.

B. I believe the *Scots*, when they firſt rebell'd, never thought of being governed abſolutely as they were by *Oliver Cromwell*.

A. Secondly, That he ſhould call a Parliament every three Years at fartheſt. Thirdly, That thoſe Perſons which were legally choſen Members, ſhould not be ſecluded without Conſent of the Houſe. (In allowing this Clauſe the Protector obſerved not, that the ſecluded Members of the ſame Parliament are thereby readmitted.) Fourthly, The Members were qualify'd. Fifthly, The Power of the other Houſe was defin'd. Sixthly, That no Law ſhould be made but by Act of Parliament. Seventhly, That a conſtant yearly Revenue of a Million of Pounds ſhould be ſettled for the Maintenance of the Army and Navy; and 300,000 *l.* for the Support of the Government, beſides other temporary Supplies, as the Houſe of Commons ſhould think fit. Eighthly, That all the Officers of State ſhould be choſen by the Parliament. Ninthly, That the Protector ſhould encourage the Miniſtry. Laſtly, That he ſhould cauſe a Profeſſion of Religion to be agreed on, and publiſhed. There are divers others of leſs Importance.

Having ſigned the Articles, he was preſently, with great Ceremony, inſtalled anew.

B. What needed that, ſeeing he was ſtill but Protector?

A. But the Articles of this Petition were not all the ſame with thoſe of his former Inſtrument. For now there was to be another Houſe; and whereas before his Council was to name his Succeſſor, he had Power now to do it himſelf; ſo that he was an abſolute Monarch, and might leave the Succeſſion to his Son, if he would, and ſucceſſively, or transfer it to whom he pleaſed.

The Ceremony being ended, the Parliament adjourned to the 20th of *January* following; and then the other Houſe alſo ſat with their Fellows.

The Houſe of Commons being now full, took little notice of the other Houſe; wherein there were not, of ſixty Perſons, above nine Lords, but fell a queſtioning all that their Fellows had done, during the Time of their Seclusion, whence had followed the Avoidance of the Power newly placed in the Protector. Therefore going to the Houſe, he made a Speech to them, ending in theſe Words; *By the Living God I muſt, and do diſſolve you.*

In this Year the *Engliſh* gave the *Spaniard* another great Blow at *Santa Cruz*, not much leſs than that they had given him the Year before at *Cadiz.*

About the Time of the Diſſolution of this Parliament, the Royaliſts had another Deſign againſt the Protector, which was, to make an Inſurrection in *England*, the King being in *Flanders*, ready to ſecond them with an Army thence. But this was alſo diſcovered by Treachery, and came to nothing, but the Ruin of thoſe that were engaged in it; whereof many, in the Beginning of the next Year, were by a High Court of Juſtice impriſon'd, and ſome executed.

This Year alſo was Major-General *Lambert* put out of all Employment, a Man ſecond to none but *Oliver* in the Favour of the Army; but becauſe he expected by that Favour, or by Promiſe from the Protector, to be his Succeſſor in the ſupreme Power, it would have been dangerous to let him have Command in the Army; the Protector having deſign'd for his Succeſſor his eldeſt Son *Richard.*

In the Year 1658, *September* the third, the Protector died at *Whitehall*; having, ever ſince his laſt Eſtabliſhment, been perplexed with Fear of being kill'd by ſome deſperate Attempt of the Royaliſts.

Being importun'd in his Sickneſs by his Privy-Council to name his Succeſſor, he nam'd his Son *Richard*, who encouraged thereunto, not by his own Ambition, but by *Fleetwood*, *Deſborough*, *Thurloe*, and other of his Council, was content to take it upon him; and preſently Addreſſes were made to him from the Armies in *England*, *Scotland*, and *Ireland*. His firſt Buſineſs was the chargeable and ſplendid Funeral of his Father.

Thus was *Richard Cromwell* ſeated in the Imperial Throne of *England*, *Scotland*, and *Ireland*, Succeſſor to his Father, lifted up to it by the Officers of the Army then in Town, and congratulated by all the Parts of the Army throughout the three Nations; ſcarce any Garriſon omitting their particular Addreſſes to him.

B. Seeing the Army approved of him, how came he ſo ſoon caſt off?

A. The Army was inconſtant, he himſelf irreſolute, and without any military Glory. And though the two principal Officers had a near Relation to him, yet neither of them, but *Lambert*, was the great Favourite of the Army; and by courting *Fleetwood* to take upon him the Protectorſhip, and by tampering with the Soldiers, he had gotten again to be a Colonel. He and the reſt of the Officers had a Council at *Wallingford-houſe*, (where *Fleetwood* dwelt) for the diſpoſſeſſing of *Richard*, though they had not yet conſidered how the Nations ſhould be govern'd afterwards; for from the Beginning of the Rebellion the Method of Ambition was conſtantly this; firſt to deſtroy, and then to conſider what they ſhould ſet up.

B. Could not the Protector, who kept his Court at *Whitehall*, diſcover what the Buſineſs of the Officers was at *Wallingford-houſe* ſo near him?

A. Yes; he was by divers of his Friends inform'd of it, and counſell'd by ſome of them, who would have done it, to kill the Chief of them; but he had not Courage enough to give them ſuch a Commiſſion. He took therefore the Counſel of ſome milder Perſons, which was to call a Parliament. Whereupon Writs were preſently ſent to thoſe that were in the laſt Parliament of the other Houſe, and other Writs to the Sheriffs for the Election of Knights and Burgeſſes, to aſſemble on the 27th of *January* following. Elections were made according to the ancient Manner; and a Houſe of Commons now of the right *Engliſh* Temper, and about 400 in Number, including twenty for *Scotland*, and as many for *Ireland*, being met, they take themſelves, without the Protector and other Houſe, to be a Parliament, and to have the ſupreme Power of the three Nations.

For the firſt Buſineſs, they intended the Power of that other Houſe: but becauſe the Protector had recommended to them, for their firſt Buſineſs, an Act (already drawn up) for the Recognition of his Protectoral Power, they began with that; and voted, (after a Fortnight's Deliberation) that an Act ſhould be made, whereof this Act of Recognition ſhould be part, and that another part ſhould be for the bounding of the Protector's Power, and for the ſecuring the Privileges of Parliament, and Liberties of the Subject; and that all ſhould paſs together.

B. Why did theſe Men obey the Protector at firſt, in meeting upon his only Summons? Was not that as full a Recognition of his Power as was needful? Why by this Example did they teach the People that he was to be obeyed, and then by putting Laws upon him, teach them the contrary? Was it not the Protector that made the Parliament? Why did they not acknowledge their Maker?

A. I believe it is the Deſire of moſt Men to bear Rule, but few of them know what Title one has to it more than another, beſides the Right of the Sword.

B. If they acknowledged the Right of the Sword, they were neither juſt, nor wiſe to oppoſe the preſent Government, ſet up and approved by all the Forces of the three Kingdoms. The Principles of this Houſe of Commons were, no doubt, the very ſame with theirs that began the Rebellion; and would, if they could have raiſed a ſufficient Army, have done the ſame againſt the Protector; and the General of their Army would, in like manner, have reduced them to a Rump: for they that keep an Army, and cannot maſter it, muſt be ſubject to it as much as he that keeps a Lion in his Houſe. The Temper of all the Parliaments ſince the time of Queen *Elizabeth*, has been the ſame with the Temper of this Parliament, and ſhall always be ſuch, as long as Preſbyterians and Men of democratical Principles have the like Influence upon the Elections.

A. After they reſolved concerning the other Houſe; that during this Parliament they would tranſact with it, but without intrenching upon the Right of the Peers, to have Writs ſent to them in all future Parliaments. Theſe Votes being paſſed, they proceed to another, wherein they aſſume to themſelves the Power of the Militia. Alſo to ſhew their ſupreme Power, they delivered out of Priſon ſome of thoſe that had been (they ſaid) illegally committed by the former Protector. Other Points concerning Civil Rights, and concerning Religion, very pleaſing to the People, were now alſo under their Conſideration. So that in the end of this Year the Protector was no leſs jealous of the Parliament than of the Council of Officers at *Wallingford-houſe*.

B. Thus it is when ignorant Men will undertake Reformation. Here are three Parties, the Protector, the Parliament, and the Army. The Protector againſt the

Parliament and Army, the Parliament againſt the Army and Protector, and the Army againſt the Protector and Parliament.

A. In the beginning of 1659, the Parliament paſſed divers other Acts; one was to forbid the Meetings in Council of the Army-Officers without Order from the Protector, and both Houſes. Another, That no Man ſhall have any Command or Truſt in the Army, who did not firſt under his Hand engage himſelf never to interrupt any of the Members, but that they might freely meet and debate in the Houſe. And to pleaſe the Soldiers, they voted to take preſently into their Conſideration the Means of paying them their Arrears. But whilſt they were conſidering this, the Protector (according to the firſt of thoſe Acts) forbad the meeting of Officers at *Wallingford-houſe*. This made the Government, which by the Diſagreement of the Protector and Army was already looſe, to fall to Pieces. For the Officers from *Wallingford-houſe*, with Soldiers enough, came over to *Whitehall*, and brought with them a Commiſſion ready drawn (giving Power to *Deſborough* to diſſolve the Parliament) for the Protector to ſign; which alſo, his Heart and his Party failing him, he ſigned. The Parliament nevertheleſs continued ſitting, but at the end of the Week, the Houſe adjourned till the *Monday* after, being *April* the 25th. At their coming on *Monday* Morning, they found the Door of the Houſe ſhut up, and the Paſſages to it filled with Soldiers, who plainly told them they muſt ſit no longer. *Richard*'s Authority, and Buſineſs in Town, being thus at an End, he retired into the Country, where within a few Days (upon Promiſe of the Payment of his Debts, which his Father's Funeral had made great) he ſigned a Reſignation of his Protectorſhip.

B. To whom?

A. To nobody. But after ten Days Ceſſation of the Sovereign Power, ſome of the Rumpers that were in Town, together with the old Speaker Mr. *William Lenthal*, reſolved amongſt themſelves, and with *Lambert*, *Haſlerig*, and other Officers, who were alſo Rumpers, in all forty-two, to go into the Houſe, which they did, and were by the Army declared to be the Parliament.

There were alſo in *Weſtminſter-hall* at that time, about their private Buſineſs, ſome few of thoſe whom the Army had ſecluded in 1648, and were called the Secluded Members. Theſe knowing themſelves to have been elected by the ſame Authority, and to have the ſame Right to ſit, attempted to get into the Houſe, but were kept out by the Soldiers. The firſt Vote of the Rump re-ſeated was; That ſuch Perſons as, heretofore Members of this Parliament, have not ſitten in this Parliament ſince the Year 1648, ſhall not ſit in this Houſe, till farther Order of the Parliament; and thus the Rump recovered their Authority *May* the 7th, 1659, which they loſt in *April* 1653.

B. Seeing there have been ſo many Shiftings of the ſupreme Authority, I pray you, for Memory's ſake, repeat them briefly in Times and Order.

A. Firſt; From 1640 to 1648, when the King was murdered, the Sovereignty was diſputed between King *Charles* the Firſt and the Preſbyterian Parliament. Secondly, From 1648, to 1653, the Power was in that part of the Parliament which voted the Trial of the King, and declared themſelves, without King or Houſe of Lords, to have the ſupreme Authority of *England* and *Ireland*. For there were in the Long Parliament two Factions, the Preſbyterian and Independent; the former whereof ſought only the Subjection of the King, not his Deſtruction directly; the latter ſought directly his Deſtruction, and this Part is it which was called the Rump. Thirdly, From *April* the 20th to *July* the 4th, the ſupreme Power was in the Hands of a Council of State conſtituted by *Cromwell*. Fourthly, From *July* the 4th, to *December* the 12th of the ſame Year, it was in the Hands of Men called unto it by *Cromwell*, whom he termed Men of Fidelity and Integrity, and made them a Parliament, which was called, in contempt of one of the Members, *Barebone*'s Parliament. Fifthly, From *December* the 12th 1653, to *September* the 3d 1658, it was in the Hands of *Oliver Cromwell*, with the Title of Protector. Sixthly, from *September* the 3d 1658, to *April* the 25th 1659, *Richard*

Richard Cromwell had it as Succeſſor to his Father. Seventhly, From *April* the 25th 1659, to *May* the 7th of the ſame Year, it was no where. Eighthly, From *May* the 7th 1659, the Rump which was turned out of Doors in 1653, recovered it again, and ſhall loſe it again to a Committee of Safety, and again recover it, and again loſe it to the right Owner.

B. By whom, and by what Art, came the Rump to be turned out the ſecond time?

A. One would think them ſafe enough; the Army in *Scotland*, which when it was in *London*, had helped *Oliver* to put down the Rump, ſubmitted now, begg'd Pardon, and promiſed Obedience. The Soldiers in Town had their Pay mended, and the Commanders every where took the old Engagement, whereby they had acknowledged their Authority heretofore. They alſo received their Commiſſions in the Houſe itſelf from the Speaker, who was *Generaliſſimo*. *Fleetwood* was made Lieutenant General with ſuch, and ſo many Limitations, as were thought neceſſary by the Rump, that remembered how they had been ſerved by the General *Oliver*. Alſo *Henry Cromwell*, Lord Lieutenant of *Ireland*, having reſigned his Commiſſion by Command, returned into *England*.

But *Lambert*, to whom (as was ſaid) *Oliver* had promiſed the Succeſſion, and who as well as the Rump knew the Way to the Protectorſhip, by *Oliver*'s own Foot-ſteps, was reſolved to proceed in it, upon the firſt Opportunity, which preſented itſelf preſently after.

Beſides ſome Plots of Royaliſts, whom after the old Faſhion they again perſecuted, there was an Inſurrection made againſt them by Preſbyterians in *Cheſhire*, headed by Sir *George Booth*, one of the ſecluded Members; they were in Number about 3000, and their Pretence was a free Parliament. There was a great Talk of another Riſing, or Endeavour to riſe, in *Devonſhire* and *Cornwall*, at the ſame Time. To ſuppreſs Sir *George Booth*, the Rump ſent down more than a ſufficient Army under *Lambert*, which quickly defeated the *Cheſhire* Party, and recovered *Cheſter*, *Leverpool*, and all the other Places they had ſeized. Divers alſo of their Commanders, in and after the Battle, were taken Priſoners, whereof Sir *George Booth* himſelf was one.

This Exploit done, *Lambert* before his Return careſſed his Soldiers with an Entertainment at his own Houſe in *Yorkſhire*, and got their Conſent to a Petition to be made to the Houſe, that a General might be ſet up in the Army, as being unfit that the Army ſhould be judged by any Power extrinſic to itſelf.

B. I do not ſee that Unfitneſs.

A. Nor I. But it was (as I have heard) an Axiom of Sir *Henry Vane*'s: but it ſo much diſpleaſed the Rump, that they voted, That the having of more Generals in the Army than were already ſettled, was unneceſſary, burthenſome, and dangerous to the Commonwealth.

B. This was not *Oliver*'s Method: for though this *Cheſhire* Victory had been as glorious as that of *Oliver* at *Dunbar*, yet it was not the Victory that made *Oliver* General, but the Reſignation of *Fairfax*, and the Proffer of it to *Cromwell* by the Parliament.

A. But *Lambert* thought ſo well of himſelf, as to expect it: therefore, at his return to *London*, he and other Officers aſſembling at *Wallingford-houſe*, drew their Petition into Form, and called it a Repreſentation, wherein the chief Point was to have a General; but many other of leſs Importance were added; and this they repreſented to the Houſe *October* the 4th by Major-General *Deſborough*: and this ſo far forth awed them, as to teach them ſo much good Manners as to promiſe to take it preſently into Debate. Which they did; and *October* the 12th, having recovered their Spirits, voted; That the Commiſſions of *Lambert*, *Deſborough*, and others of the Council at *Wallingford-houſe*, ſhould be void. *Item*, That the Army ſhould be governed by a Commiſſion to *Fleetwood*, *Monk*, *Haſlerig*, *Walton*, *Morley*, and *Overton*, till *February* the 12th following. And to make this good againſt the Force they expected from *Lambert*, they ordered *Haſlerig* and *Morley* to iſſue Warrants to ſuch Officers as they could truſt, to bring their Soldiers next Morning into *Weſtminſter*, which was done ſomewhat too late; for *Lambert* had firſt brought his Soldiers thither, and beſet the Houſe, and turned back the Speaker, which was then coming to it: but *Haſlerig*'s Forces marching about St. *James*'s Park-wall, came into St. *Margaret*'s Church-yard; and ſo both Parties looked all Day one upon another like Enemies, but offered not to fight, whereby the Rump was put out of Poſſeſſion of the Houſe; and the Officers continued their Meeting, as before, at *Wallingford-houſe*.

There they choſe from among themſelves, with ſome few of the City, a Committee, which they called a Committee of Safety; whereof the Chief were *Lambert* and *Vane*, who with the Advice of a General Council of Officers, had Power to call Delinquents to Trial; to ſuppreſs Rebellions; to treat with foreign States, *&c.* You ſee now the Rump cut off, and the ſupreme Power, which is charged with *Salus Populi*, transferred to a Council of Officers. And yet *Lambert* hopes for it in the End. But one of their Limitations was; That they ſhould within ſix Weeks preſent to the Army a new Model of the Government; if they had done ſo, do you think they would have preferred *Lambert*, or any other, to the ſupreme Authority therein, rather than themſelves?

B. I think not. When the Rump had put into Commiſſion (amongſt a few others) for the Government of the Army, that is to ſay, for the Governmen of the three Nations, General *Monk*, already Commander in Chief of the Army in *Scotland*, and that had done much greater Things in this War, than *Lambert*; how durſt they leave him out of this Committee of Safety? or how could *Lambert* think that General *Monk* would forgive it, and not endeavour to faſten the Rump again?

A. They thought not of him; his Gallantry had been ſhewn on remote Stages, *Ireland* and *Scotland*. His Ambition had not appeared here in their Contentions for the Government, but he had complied both with *Richard* and the Rump. After General *Monk* had ſignified by Letter his Diſlike of the Proceedings of *Lambert* and his Fellows, they were much ſurpriſed, and began to think him more conſiderable than they had done; but it was too late.

B. Why? His Army was too ſmall for ſo great an Enterprize.

A. The General knew very well his own, and their Forces; both what they were then, and how they might be augmented, and what generally City and Country wiſhed for, which was the Reſtitution of the King: which to bring about there needed no more, but to come with his Army, though not very great, to *London*: to the doing whereof there was no Obſtacle but the Army with *Lambert*. What could he do in this Caſe? If he had declared preſently for the King, or for a Free-Parliament, all the Armies in *England* would have joined againſt him, and aſſuming the Title of a Parliament would have furniſhed themſelves with Money.

General *Monk*, after he had thus quarrelled by his Letter with the Council-Officers, ſecured firſt thoſe Officers of his own Army, which were Anabaptiſts, and therefore not to be truſted, and put others into their Places; then drawing his Forces together, marched to *Berwick*. Being there, he indicted a Convention of the *Scots*, of whom he deſired that they would take Order for the Security of that Nation in his Abſence, and raiſe ſome Maintenance for his Army in their March. The Convention promiſed for the Security of the Nation their beſt Endeavour, and raiſed him a Sum of Money, not great, but enough for his Purpoſe, excuſing themſelves upon their preſent Wants. On the other Side, the Committee of Safety, with the greateſt and beſt part of their Army, ſent *Lambert* to oppoſe him; but at the ſame time by divers Meſſages and Mediators, urged him to a Treaty; which he conſented to, and ſent three Officers to *London*, to treat with as many of theirs. Theſe ſix ſuddenly concluded, without Power from the General, upon theſe Articles; That the King be excluded; a free State ſettled; the Miniſtry and Univerſities encouraged, with divers others. Which the General liked not, and impri-

ſoned

ſoned one of his Commiſſioners for exceeding his Commiſſion. Whereupon another Treaty was agreed on of five to five. But whilſt theſe Treaties were in hand, *Haſlerig*, a Member of the Rump, ſeized on *Portſmouth*, and the Soldiers ſent by the Committee of Safety to reduce it, inſtead of that, enter'd into the Town, and joined with *Haſlerig*. Secondly, the City renewed their Tumults for a Free-Parliament. Thirdly, the Lord *Fairfax*, a Member alſo of the Rump, and greatly favour'd in *Yorkſhire*, was raiſing Forces there behind *Lambert*, who being now between two Armies, his Enemies, would gladly have fought with the General. Fourthly, there came News that *Devonſhire* and *Cornwall* were liſting of Soldiers. Laſtly, *Lambert*'s Army wanting Money, and ſure they ſhould not be furniſhed from the Council of Officers, which had neither Authority, nor Strength to levy Money, grew diſcontented, and (for their free Quarter) were odious to the Northern Countries.

B. I wonder why the *Scots* were ſo ready to furniſh General *Monk* with Money; for they were no Friends to the Rump?

A. I know not; but I believe the *Scots* would have parted with a greater Sum, rather than the *Engliſh* ſhould not have gone together by the Ears amongſt themſelves. The Council of Officers being now beſet with ſo many Enemies, produced ſpeedily their Model of Government, which was to have a Free-Parliament, which ſhould meet *December* the 15th; but with ſuch Qualifications of no King, no Houſe of Lords, as made the City more angry than before. To ſend Soldiers into the Weſt, to ſuppreſs thoſe that were riſing there, they durſt not, for Fear of the City; nor could they raiſe any other for want of Money. There remained nothing but to break, and quitting *Wallingford-houſe*, to ſhift for themſelves.

This coming to the Knowledge of their Army in the North, they deſerted *Lambert*; and the Rump, the 26th of *December*, repoſſeſſed the Houſe.

B. Seeing the Rump was now re-ſeated, the Buſineſs pretended by General *Monk* for his marching to *London* was at an end.

A. The Rump, though ſeated, was not well ſettled, but (in the midſt of ſo many Tumults for a Free-Parliament) had as much need of the General's coming up now, as before. He therefore ſent them word, that becauſe he thought them not yet ſecure enough, he would come up to *London* with his Army; which they not only accepted, but alſo intreated him to do, and voted him for his Services 1000 *l.* a Year.

The General marching towards *London*, the Country every where petition'd him for a Free-Parliament. The Rump, to make Room in *London* for his Army, diſlodged their own. The General for all that, had not let fall a Word in all this Time, that could be taken for a Declaration of his final Deſign.

B. How did the Rump revenge themſelves on *Lambert*?

A. They never troubled him; nor do I know any Cauſe of ſo gentle dealing with him: but certainly *Lambert* was the ableſt of any Officer they had to do them Service, when they ſhould have Means, and need to employ him. After the General was come to *London*, the Rump ſent to the City for their Part of a Tax of 100,000 *l.* a Month, for ſix Months, according to an Act which the Rump had made formerly, before their Diſſeizin by a Committee of Safety. But the City, who were adverſe to the Rump, and keen upon a Free-Parliament, could not be brought to give their Money to their Enemies, and to Purpoſes repugnant to their own. Hereupon the Rump ſent Order to the General to break down the City Gates and their Portcullices, and to impriſon certain obſtinate Citizens. This he performed, and it was the laſt Service he did them.

About this Time the Commiſſion, by which General *Monk*, with others, had the Government of the Army put into their Hands by the Rump, before the Uſurpation of the Council of Officers, came to expire, which the preſent Rump renewed.

B. He was thereby the ſixth Part of the General of the whole Forces of the Commonwealth. If I had been as the Rump, he ſhould have been ſole General. In ſuch Caſes as this, there cannot be a greater Vice than pinching. Ambition ſhould be liberal.

A. After the pulling down of the City Gates, the General ſent a Leter to the Rump, to let them know that that Service was much againſt his Nature, and to put them in mind how well the City had ſerved the Parliament throughout the whole War.

B. Yes: But for the City the Parliament could never have made the War, nor the Rump ever have murdered the King.

A. The Rump conſidered not the Merit of the City, nor the good Nature of the General. They were buſy. They were giving out Commiſſions; making of Acts for Abjuration of the King and his Line, and for the old Engagement and conferring with the City to get Money. The General alſo deſired to hear Conference between ſome of the Rump, and ſome of the ſecluded Members, concerning the Juſtice of their Secluſion, and of the Hurt that could follow from their Readmiſſion. And it was granted, after long Conference, the General finding the Rump's Pretences unreaſonable and ambitious, declared himſelf, with the City, for a Free-Parliament, and came to *Weſtminſter* with the ſecluded Members, (whom he had appointed to meet and ſtay for him at *Whitehall*) and replaced them in the Houſe amongſt the Rumpers; ſo that now the ſame Cattle that were in the Houſe of Commons in 1640, (except thoſe that were dead, and thoſe that went from them to the late King at *Oxford*) are all there again.

B. But this (methinks) was no good Service to the King, unleſs they had learnt better Principles.

A. They had learnt nothing. The major Part was now again Preſbyterian. 'Tis true they were ſo grateful to General *Monk*, as to make him General of all the Forces in the three Nations. They did well alſo to make void the Engagement; but it was becauſe thoſe Acts were made to the Prejudice of their Party; but recalled none of their own rebellious Ordinances, nor did any thing in order to the Good of the preſent King: but on the contrary they declared by a Vote, that the late King began the War againſt his two Houſes.

B. The two Houſes conſidered as two Perſons, were they not two of the King's Subjects? If a King raiſe an Army againſt his Subject, is it lawful for that Subject to reſiſt with Force, when (as in this Caſe) he might have had Peace upon his Submiſſion?

A. They knew they had acted vilely and ſottiſhly; but becauſe they had always pretended to greater than ordinary Wiſdom and Godlineſs, they were loth to confeſs it. The Preſbyterians now ſaw their Time to make a Confeſſion of their Faith, and preſented it to the Houſe of Commons, to ſhew they had not changed their Principles, which (after ſix Readings in the Houſe) was voted to be printed, and once a Year to be read publicly in every Church.

B. I ſay again, this re-eſtabliſhing of the Long Parliament was no good Service to the King.

A. Have a little Patience. They were re-eſtabliſhed with two Conditions. One to determine their ſitting before the End of *March*; another to ſend out Writs before their riſing for new Elections.

B. That qualifies.

A. That brought in the King: for few of this Long Parliament (the Country having felt the Smart of their former Service) could get themſelves choſen again. This New Parliament began to ſit *April* 25th 1660. How ſoon theſe called in the King; with what Joy and Triumph he was received; how earneſtly his Majeſty preſſed the Parliament for the Act of Oblivion, and how few were excepted out of it; you know as well as I.

B. But I have not yet obſerved in the Preſbyterians any Oblivion of their former Principles. We are but returned to the State we were in at the Beginning of the Sedition.

A. Not ſo: for before that Time, though the Kings of *England* had the Right of the Militia in virtue of the Sovereignty, and without Diſpute, and without any particular Act of Parliament directly to that Purpoſe; yet now, after this bloody Diſpute, the next (which is the preſent) Parliament in proper and expreſs Terms hath declared the ſame to be the Right of the King only, without either of his Houſes of Parliament; which Act is more inſtructive to the People, than any Arguments drawn from the Title of Sovereign, and conſequently fitter to diſarm the Ambition of all ſeditious Haranguers for the Time to come.

B. I pray God it prove ſo. Howſoever, I muſt confeſs, that this Parliament has done all that a Parliament can do for the Security of our Peace: which I think alſo would be enough, if Preachers would take Heed of inſtilling evil Principles into their Auditory. I have ſeen in this Revolution a circular Motion of the ſovereign Power through two Uſurpers, from the late King to this his Son: for (leaving out the Power of the Council of Officers, which was but temporary, and no otherwiſe owned by them, but in Truſt) it moved from King *Charles* the Firſt to the Long Parliament, from thence to the Rump, from the Rump to *Oliver Cromwell*, and then back again from *Richard Cromwell* to the Rump, thence to the Long Parliament, and thence to King *Charles* the Second, where long may it remain.

A. Amen. And may he have as often as there ſhall be Need ſuch a General.

B. You have told me little of the General till now in the End: but truly, I think, the bringing of his little Army intirely out of *Scotland*, up to *London*, was the greateſt Stratagem that is extant in Hiſtory.

A DIALOGUE

Between a PHILOSOPHER and a STUDENT, OF THE COMMON LAWS of *ENGLAND*.

Of the LAW *of* REASON.

Law. WHAT makes you ſay, that the Study of the Law is leſs rational than the Study of the Mathematics?

Ph. I ſay not that, for all Study is rational, or nothing worth; but I ſay, that the great Maſters of the *Mathematics* do not ſo often err as the great Profeſſors of the Law.

Law. If you had applied your Reaſon to the Law, perhaps you would have been of another Mind.

Ph. In whatſoever Study, I examine whether my Inference be rational, and have looked over the Titles of the Statutes from *Magna Charta* downward to this preſent Time. I left not one unread, which I thought might concern myſelf, which was enough for me that meant not to plead for any but myſelf. But I did not much examine which of them was more, or leſs rational; becauſe I read them not to diſpute, but to obey them, and ſaw in all of them ſufficient Reaſon for my Obedience, and that the ſame Reaſon, though the Statutes themſelves were changed, remained conſtant. I have alſo diligently read over *Littleton*'s Book of *Tenures*, with the Commentaries thereupon of the renowned Lawyer Sir *Edward Coke*, in which I confeſs I found great Subtilty, not of the Law, but of Inference from Law, and eſpecially from the Law of human Nature, which is the Law of Reaſon: and I confeſs that it is Truth which he ſays in the Epilogue to his Book; that by Arguments and Reaſon in the Law, a Man ſhall ſooner come to the Certainty and Knowledge of the Law: and I agree with Sir *Edward Coke*, who upon that Text farther ſays, That Reaſon is the Soul of the Law; and upon Sect. 138. *Nihil quod eſt Rationi contrarium eſt licitum*; that is to ſay, nothing is Law that is againſt Reaſon: and that Reaſon is the Life of the Law, nay, the Common Law itſelf is nothing elſe but Reaſon. And upon Sect. 21. *Æquitas eſt perfecta quædam Ratio, quæ Jus ſcriptum interpretatur & emendat, nullâ ſcripturâ comprehenſa, ſed ſolum in vera Ratione conſiſtens. i. e.* Equity is a certain perfect Reaſon that interpreteth and amendeth the Law written, itſelf being unwritten, and conſiſting in nothing elſe but right Reaſon. When I conſider this, and find it to be true, and ſo evident as not to be denied by any Man of right Senſe, I find my own Reaſon at a ſtand; for it fruſtrates all the Laws in the World: for upon this Ground any Man, of any Law whatſoever, may ſay it is againſt Reaſon, and thereupon make a Pretence for his Diſobedience. I pray you clear this Paſſage, that we may proceed.

La. I clear it thus, out of Sir *Edward Coke*, 1 *Inſt. Sect.* 138. that this is to be underſtood of an artificial Perfection of Reaſon gotten by long Study, Obſervation and Experience, and not of every Man's natural Reaſon; for *nemo naſcitur Artifex*. This legal Reaſon, is *ſumma Ratio*; and therefore if all the Reaſon that is diſperſed into ſo many ſeveral Heads were united into one, yet could he not make ſuch a Law as the Law of *England* is, becauſe by ſo many Succeſſions of Ages it hath been fined and refined by an infinite Number of grave and learned Men.

Ph. This does not clear the Place, as being partly obſcure, and partly untrue; that the Reaſon, which is the Life of the Law, ſhould be not natural, but artificial, I cannot conceive. I underſtand well enough, that the Knowledge of the Law is gotten by much Study, as all other Sciences are, which when they are ſtudied and obtained, it is ſtill done by natural, and not by artificial Reaſon. I grant you that the Knowledge of the Law is an Art, but not that any Art of one Man, or of many, how wiſe ſoever they be, or the Work of one or more Artificers, how perfect ſoever it be, is Law. It is not Wiſdom, but Authority, that makes a Law. Obſcure alſo are the Words, Legal Reaſon; there is no Reaſon in earthly Creatures, but human Reaſon; but I ſuppoſe that he means, that the Reaſon of a Judge, or of all the Judges together, (without the King) is that *Summa Ratio*, and the very Law, which I deny; becauſe none can make a Law but he that hath the legiſlative Power. That the Law hath been fined by grave and learned Men, meaning the Profeſſors of the Law, is manifeſtly untrue; for all the Laws of *England* have been made by the Kings of *England*, conſulting with the Nobility and Commons in Parliament, of which not one of twenty was a learned Lawyer.

La. You ſpeak of the Statute Law, and I ſpeak of the Common Law.

Ph. I ſpeak generally of Law.

La. Thus far I agree with you, that Statute Law taken away, there would not be left, either here, or any where, any Law at all that would conduce to the Peace of a Nation; yet Equity and Reaſon, Laws divine and eternal, which oblige all Men at all Times, and in all Places, would ſtill remain, but be obeyed by few: and though the Breach of them be not puniſhed in this World, yet they will be puniſhed ſufficiently in the World to come. Sir *Edward Coke*, for drawing to the Men of his own Profeſſion as much Authority as lawfully he might, is not to be reprehended; but to the Gravity and Learning of the Judges, they ought to have added, in the making of Laws, the Authority of the King, which hath the Sovereignty: for of theſe Laws of Reaſon, every Subject that is in his Wits, is bound to take notice at his Peril, becauſe Reaſon is part of his Nature, which he continually carries about with him, and may read it, if he will.

Ph. 'Tis very true; and upon this Ground, if I pretend, within a Month or two, to make myſelf able to perform the Office of a Judge, you are not to think it Arrogance; for you are to allow to me, as well as to other Men, my Pretence to Reaſon, which is the Common Law; (remember this, that I may not need again to put you in mind, that Reaſon is the Common Law) and for Statute Law, ſeeing it is printed, and that there be Indexes to point me to every Matter contained in them, I think a Man may profit in them very much in two Months.

La. But you will be but an ill Pleader.

Ph. A Pleader commonly thinks he ought to ſay all he can for the Benefit of his Client, and therefore has need of a Faculty to wreſt the Senſe of Words from their true Meaning; and the Faculty of Rhetoric to ſeduce the Jury, and ſometimes the Judge alſo; and many other Arts, which I neither have, nor intend to ſtudy.

La. But let the Judge, how good ſoever he thinks his Reaſoning, take heed that he depart not too much from the Letter of the Statute: for it is not without Danger.

Ph. He may without Danger recede from the Letter, if he do not from the Meaning and Senſe of the Law, which may be by a learned Man, (ſuch as Judges commonly are) eaſily found out by the Preamble, the Time when it was made, and the Incommodities for which it was made: but I pray tell me, to what End were Statute Laws ordained, ſeeing the Law of Reaſon ought to be apply'd to every Controverſy that can ariſe?

La. You are not ignorant of the Force of an irregular Appetite to Riches, to Power, and to ſenſual Pleaſures, how it maſters the ſtrongeſt Reaſon, and is the Root of Diſobedience, Slaughter, Fraud, Hypocriſy, and all manner of evil Habits; and that the Laws of Man, though they can puniſh the Fruits of them, which are evil Actions, yet they cannot pluck up the Roots that are in the Heart. How can a Man be indicted of Avarice, Envy, Hypocriſy, or other vicious Habit, till it be declared by ſome Action, which a Witneſs may take notice of; the Root remaining, new Fruit will come forth till you be weary of puniſhing, and at laſt deſtroy all Power that ſhall oppoſe it.

Ph. What Hope then is there of a conſtant Peace in any Nation, or between one Nation and another?

La. You are not to expect ſuch a Peace between two Nations; becauſe there is no common Power in this World to puniſh their Injuſtice: mutual Fear may keep them quiet for a Time, but upon every viſible Advantage they will invade one another, and the moſt viſible Advantage is then, when the one Nation is obedient to their King, and the other not; but Peace at home may then be expected durable, when the common People ſhall be made to ſee the Benefit they ſhall receive by their Obedience and Adheſion to their own Sovereign, and the Harm they muſt ſuffer by taking part with them, who by Promiſes of Reformation, or Change of Government, deceive them. And this is properly to be done by Divines, and from Arguments not only from Reaſon, but alſo from the holy Scripture.

Ph. This that you ſay is true, but not very much to that I aim at by your Converſation, which is to inform myſelf concerning the Laws of *England*: therefore I aſk you again, what is the End of Statute Laws?

Of Sovereign Power.

La. I Say then that the Scope of all human Law is Peace, and Juſtice in every Nation amongſt themſelves, and Defence againſt foreign Enemies.

Ph. But what is Juſtice?

La. Juſtice is giving to every Man his own.

Ph. The Definition is good, and yet 'tis *Ariſtotle*'s; what is the Definition agreed upon as a Principle in the Science of the Common Law?

La. The ſame with that of *Ariſtotle*.

Ph. See, you Lawyers, how much you are beholden to a Philoſopher; and 'tis but Reaſon, for the more general and noble Science, and Law of all the World, is true Philoſophy, of which the Common Law of *England* is a very little part.

La. 'Tis ſo, if you mean by Philoſophy nothing but the Study of Reaſon, as I think you do.

Ph. When you ſay that Juſtice gives to every Man his own, what mean you by his own? How can that be given me which is my own already? or, if it be not my own, how can Juſtice make it mine?

La. Without Law every thing is in ſuch ſort every Man's, as he may take, poſſeſs, and enjoy, without Wrong to any Man, every thing, Lands, Beaſts, Fruits, and even the Bodies of other Men, if his Reaſon tell him he cannot otherwiſe live ſecurely: for the Dictates of Reaſon are little worth, if they tended not to the Preſervation and Improvement of Men's Lives. Seeing then without human Law all Things would be common, and this Community a Cauſe of Incroachment, Envy, Slaughter, and continual War of one upon another, the ſame Law of Reaſon dictates to Mankind (for their own Preſervation) a Diſtribution of Lands and

Goods, that each Man may know what is proper to him, ſo as none other might pretend a Right thereunto, to diſturb him in the Uſe of the ſame. This Diſtribution is Juſtice, and this properly is the ſame which we ſay is one's own: by which you may ſee the great Neceſſity there was of Statute Laws, for Preſervation of all Mankind. It is alſo a Dictate of the Law of Reaſon, that Statute Laws are a neceſſary Means of the Safety and well-being of Man in the preſent World, and are to be obeyed by all Subjects, as the Law of Reaſon ought to be obeyed, both by King and Subjects, becauſe it is the Law of God.

Ph. All this is very rational; but how can any Laws ſecure one Man from another? When the greateſt part of Men are ſo unreaſonable, and ſo partial to themſelves as they are, and the Laws of themſelves are but a dead Letter, which of itſelf is not able to compel a Man to do otherwiſe than himſelf pleaſeth, nor puniſh, or hurt him when he hath done a Miſchief.

La. By the Laws, I mean, Laws living and armed: for you muſt ſuppoſe, that a Nation that is ſubdued by War to an abſolute Submiſſion to a Conqueror, it may by the ſame Arm that compelled it to Submiſſion, be compelled to obey his Laws. Alſo if a Nation chuſe a Man, or an Aſſembly of Men, to govern them by Laws, it muſt furniſh him alſo with armed Men and Money, and all Things neceſſary to his Office, or elſe his Laws will be of no Force, and the Nation remains, as before it was, in Confuſion. 'Tis not therefore the Word of the Law, but the Power of a Man that has the Strength of a Nation, and makes the Laws effectual. It was not *Solon* that made the *Athenian* Laws (though he deviſed them) but the ſupreme Court of the People; nor, the Lawyers of *Rome* that made the Imperial Law in *Juſtinian*'s Time, but *Juſtinian* himſelf.

Ph. We agree then in this, that in *England* it is the King that makes the Laws, whoſoever pens them; and in this, that the King cannot make his Laws effectual, nor defend his People againſt their Enemies, without a Power to levy Soldiers, and conſequently that he may lawfully, as oft as he ſhall really think it neceſſary to raiſe an Army, (which in ſome Occaſions be very great) I ſay, raiſe it, and Money to maintain it. I doubt not but you will allow this to be according to the Law (at leaſt) of Reaſon.

La. For my part I allow it. But you have heard how, in, and before the late Troubles, the People were of another Mind. Shall the King, ſaid they, take from us what he pleaſes, upon Pretence of a Neceſſity whereof he makes himſelf the Judge? What worſe Condition can we be in from an Enemy! What can they take from us more than what they liſt?

Ph. The People reaſon ill; they do not know in what Condition we were in the Time of the Conqueror, when it was a Shame to be an *Engliſhman*; who if he grumbled at the baſe Offices he was put to by his *Norman* Maſters, received no other Anſwer but this, Thou art but an *Engliſhman*; nor can the People, nor any Man that humours them in their Diſobedience, produce any Example of a King that ever raiſed any exceſſive Sums, either by himſelf, or by the Conſent of his Parliament, but when they had great need thereof; nor can ſhew any Reaſon that might move any of them ſo to do. The greateſt Complaint by them made againſt the Unthriftineſs of their Kings was for the inriching now and then a Favourite, which to the Wealth of the Kingdom was inconſiderable, and the Complaint but Envy. But in this Point of raiſing Soldiers, what is I pray you the Statute Law?

La. The laſt Statute concerning it, is 13 *Car.* 2. *c.* 6. by which the ſupreme Government, Command, and Diſpoſing of the Militia of *England* is delivered to be, and always to have been the ancient Right of the Kings of *England*: But there is alſo in the ſame Act a Proviſo, that this ſhall not be conſtrued for a Declaration, that the King may tranſport his Subjects, or compel them to march out of the Kingdom, nor is it on the contrary declared to be unlawful.

Ph. Why is not that alſo determined?

La. I can imagine Cauſe enough for it, though I may be deceived. We love to have our King amongſt us, and not to be governed by Deputies, either of our own, or other Nation: But this I verily believe, that if a foreign Enemy ſhould either invade us, or put himſelf into a Readineſs to invade either *England*, *Ireland*, or *Scotland* (no Parliament then ſitting) and the King ſend *Engliſh* Soldiers thither, the Parliament would give him Thanks for it. The Subjects of thoſe Kings who affect the Glory, and imitate the Actions of *Alexander* the Great, have not always the moſt comfortable Lives; nor do ſuch Kings uſually very long enjoy their Conqueſts. They march to and fro perpetually, as upon a Plank ſuſtained only in the midſt, and when one end riſes, down goes the other.

Ph. 'Tis well. But where Soldiers (in the Judgment of the King's Conſcience) are indeed neceſſary, as in an Inſurrection, or Rebellion at home; how ſhall the Kingdom be preſerved without a conſiderable Army ready, and in Pay? How ſhall Money be raiſed for this Army, eſpecially when the want of public Treaſure inviteth neighbouring Kings to incroach, and unruly Subjects to rebel?

La. I cannot tell. It is matter of Policy, not of Law; but I know, that there be Statutes expreſs, whereby the King hath obliged himſelf never to levy Money upon his Subjects without the Conſent of his Parliament. One of which Statutes is, 25 *Ed.* 1. *c.* 6. In theſe Words, *We have granted for us and our Heirs, as well to Archbiſhops, Biſhops, Abbots, and other Folk of the holy Church, as alſo Earls, Barons, and to all the Commonalty of the Land, that for no Buſineſs from henceforth, we ſhall take ſuch Aids, Taxes, or Prizes, but by the common Conſent of the Realm.* There is another Statute of *Ed.* 1. in theſe Words, *No Taxes or Aid ſhall be taken or levied by us or our Heirs in our Realm, without the Good-will and Aſſent of the Archbiſhops, Biſhops, Earls, Barons, Knights, Burgeſſes, and other Freemen of the Land*; which Statutes have been ſince that Time confirmed by divers other Kings, and laſtly by the King that now reigneth.

Ph. All this I know, and am not ſatisfied. I am one of the common People, and one of that almoſt infinite Number of Men, for whoſe Welfare Kings and other Sovereigns were by God ordained: For God made Kings for the People, and not People for Kings. How ſhall I be defended from the domineering of proud and inſolent Strangers that ſpeak another Language, that ſcorn us, that ſeek to make us Slaves? Or how ſhall I avoid the Deſtruction that may ariſe from the Cruelty of Factions in a Civil War, unleſs the King, to whom alone, you ſay, belongeth the Right of levying, and diſpoſing of the Militia, by which only it can be prevented, have ready Money upon all Occaſions, to arm and pay as many Soldiers, as for the preſent Defence, or the Peace of the People, ſhall be neceſſary? Shall not I, and you, and every Man be undone? Tell me not of a Parliament when there is no Parliament ſitting, or perhaps none in being, which may often happen; and when there is a Parliament, if the ſpeaking and leading Men ſhould have a Deſign to put down Monarchy, as they had in the Parliament which began to ſit *Nov.* 3, 1640, ſhall the King, who is to anſwer to God Almighty for the Safety of the People, and to that end is intruſted with the Power to levy and diſpoſe of the Soldiery, be diſabled to perform his Office by virtue of theſe Acts of Parliament which you have cited? If this be Reaſon, 'tis Reaſon alſo that the People be abandoned, or left at Liberty to kill one another, even to the laſt Man; if it be not Reaſon, then you have granted it is not Law.

La. 'Tis true, if you mean *Recta Ratio*; but *Recta Ratio*, which I grant to be Law, as Sir *Edw. Coke* ſays, 1 *Inſt. Sect.* 138. is an artificial Perfection of Reaſon gotten by long Study, Obſervation, and Experience, and not every Man's natural Reaſon; for *Nemo naſcitur Artifex.* This legal Reaſon is *ſumma Ratio*; and therefore, if all the Reaſon that is diſperſed into ſo many ſeveral Heads were united into one, yet could he not make ſuch a Law as the Law of *England* is, becauſe by many Succeſſions of Ages it hath been fined and refined, by an infinite Number of grave and learned Men. And this is it he calls the Common Law.

Ph. Do you think this to be good Doctrine? Though it be true, that no Man is born with the Uſe of Reaſon, yet all Men may grow up to it as well as Lawyers; and when they have applied their Reaſon to the Laws (which were Laws before they ſtudied them, or elſe it was not Law they ſtudied) may be as fit for, and capable of Judicature as Sir *Edward Coke* himſelf, who, whether he had more or leſs Uſe of Reaſon, was not thereby a Judge, but becauſe the King made him ſo: And whereas he ſays, that a Man who ſhould have as much Reaſon as is diſperſed in ſo many ſeveral Heads, could not make ſuch a Law as this Law of *England* is; if one ſhould aſk him who made the Law of *England*, would he ſay a Succeſſion of *Engliſh* Lawyers or Judges made it, or rather a Succeſſion of Kings; and that upon their own Reaſon, either ſolely, or with the Advice of the Lords and Commons in Parliament, without the Judges, or other Profeſſors of the Law? You ſee therefore, that the King's Reaſon, be it more or leſs, is that *Anima Legis*, that *Summa Lex*, whereof Sir *Edward Coke* ſpeaketh, and not the Reaſon, Learning, or Wiſdom of the Judges; but you may ſee, that quite through his Inſtitutes of Law, he often takes Occaſion to magnify the Learning of the Lawyers, whom he perpetually termeth the Sages of the Parliament, or of the King's Council: therefore, unleſs you ſay otherwiſe, I ſay that the King's Reaſon, when it is publicly upon Advice and Deliberation declared, is that *Anima Legis* and that *Summa Ratio*, and that Equity which all agree to be the Law of Reaſon, is all that is or ever was Law in *England*, ſince it became Chriſtian, beſides the Bible.

La. Are not the Canons of the Church part of the Law of *England*, as alſo the Imperial Law uſed in the Admiralty, and the Cuſtoms of particular Places, and the Bye-laws of Corporations, and Courts of Judicature.

Ph. Why not? for they were all conſtituted by the Kings of *England*; and though the Civil Law uſed in the Admiralty were at firſt the Statutes of the *Roman* Empire, yet becauſe they are in Force by no other Authority than that of the King, they are now the King's Laws, and the King's Statutes. The ſame we may ſay of the Canons; ſuch of them as we have retained, made by the Church of *Rome*, have been no Law, nor of any Force in *England*, ſince the beginning of Queen *Elizabeth*'s Reign, but by Virtue of the great Seal of *England*.

La. In the ſaid Statutes that reſtrain the levying of Money without Conſent of Parliament, is there any thing you can take Exceptions to?

Ph. No, I am ſatisfied that the Kings that grant ſuch Liberties are bound to make them good, ſo far as it may be done without Sin: but if a King find that by ſuch a Grant he be diſabled to protect his Subjects if he maintain his Grant, he ſins; and therefore may, and ought to take no Notice of the ſaid Grant: for ſuch Grants as by Error, or falſe Suggeſtion, are gotten from him, are, as the Lawyers do confeſs, void and of no Effect, and ought to be recalled. Alſo the King (as is on all hands confeſſed) hath the Charge lying upon him to protect his People againſt foreign Enemies, and to keep the Peace betwixt them within the Kingdom; if he do not his utmoſt Endeavour to diſcharge himſelf thereof, he committeth a Sin, which neither King, nor Parliament can lawfully commit.

La. No Man, I think, will deny this: for if levying of Money be neceſſary, it is a Sin in the Parliament to refuſe; if unneceſſary, it is a Sin both in King and Parliament to levy: but for all that, it may be, and I think it is a Sin in any one that hath the ſovereign Power, be he one Man, or one Aſſembly, being intruſted with the Safety of a whole Nation, if raſhly, and relying upon his own natural Sufficiency, he make War or Peace without conſulting with ſuch, as by their Experience and Employment abroad, and Intelligence by Letters, or other Means, have gotten the Knowledge in ſome Meaſure of the Strength, Advantages, and Deſigns of the Enemy, and the Manner and Degree of the Danger that may from thence ariſe. In like manner, in Caſe of Rebellion at Home, if he conſult not with Men of military Condition; which if he do, then I think he may lawfully proceed to ſubdue all ſuch Enemies and Rebels; and that the Soldiers ought to go on, without inquiring whether they be within the Country or without: for who ſhall ſuppreſs Rebellion, but he that hath Right to levy, command, and diſpoſe of the Militia? The laſt long Parliament denied this; but why? becauſe by the major part of their Votes the Rebellion was raiſed with Deſign to put down Monarchy, and to that End maintained.

Ph. Nor do I hereby lay any Aſperſion upon ſuch Grants of the King and his Anceſtors. Thoſe Statutes are in themſelves very good for the King and People, as creating ſome kind of Difficulty, or ſuch Kings for the Glory of Conqueſt might ſpend one part of their Subjects Lives and Eſtates in moleſting other Nations, and leave the reſt to deſtroy themſelves at home by Factions. That which I here find Fault with, is the wreſting of thoſe, and other ſuch Statutes, to a binding of our Kings from the Uſe of their Armies in the neceſſary Defence of themſelves and their People. The late long Parliament that in 1648 murdered their King (a King that ſought no greater Glory upon Earth, but to be indulgent to his People, and a pious Defender of the Church of *England)* no ſooner took upon them the Sovereign Power, than they levied Money upon the People at their own Diſcretion. Did any of their Subjects diſpute their Power? Did they not ſend Soldiers over the Sea to ſubdue *Ireland*, and others to fight againſt the *Dutch* at Sea? Or made they any Doubt but to be obeyed in all that they commanded, as a Right abſolutely due to the ſovereign Power in whomſoever it reſides? I ſay not this as allowing their Actions, but as a Teſtimony from the Mouths of thoſe very Men that denied the ſame Power to him, whom they acknowledged to have been their Sovereign immediately before; which is a ſufficient Proof, that the People of *England* never doubted of the King's Right to levy Money for the Maintenance of his Armies, till they were abuſed in it by ſeditious Teachers, and other prating Men, on Purpoſe to turn the State and Church into popular Government, where the moſt ignorant and boldeſt Talkers do commonly obtain the beſt Preferments. Again, when their new Republic returned into Monarchy by *Oliver*, who durſt deny him Money upon any Pretence of *Magna Charta*, or of theſe other Acts of Parliament which you have cited? You may therefore think it good Law, for all your Books; that the King of *England* may at all times, that he thinks in his Conſcience it will be neceſſary for the Defence of his People, levy as many Soldiers and as much Money as he pleaſes, and that himſelf is Judge of the Neceſſity.

La. Is there nobody hearkening at the Door?

Ph. What are you afraid of?

La. I mean to ſay the ſame that you ſay: but there be very many yet, that hold their former Principles, whom neither the Calamities of the Civil Wars, nor their former Pardons, have thoroughly cured of their Madneſs.

Ph. The common People never take notice of what they hear of this Nature, but when they are ſet on by ſuch as they think wiſe; that is, by ſome ſorts of Preachers, or ſome that ſeem to be learned in the Laws, and withal ſpeak Evil of the Governors. But what if the King, upon the Sight or Apprehenſion of any great Danger to his People, as when their Neighbours are borne down with the Current of a conquering Enemy, ſhould think his own People might be involved in the ſame Miſery, may he not levy, pay, and tranſport Soldiers to help thoſe weak Neighbours by way of Prevention, to ſave his own People and himſelf from Servitude? Is that a Sin?

La. Firſt, If the War upon our Neighbour be juſt, it may be queſtioned whether it be Equity or not to aſſiſt them againſt the Right.

Ph. For my part I make no Queſtion of that at all, unleſs the Invader will and can put me in Security, that neither he nor his Succeſſors ſhall make any Advantage of the Conqueſt of my Neighbour, to do the ſame to me in time to come; but there is no common Power to bind them to the Peace.

La. Secondly, When ſuch a thing ſhall happen, the Parliament will not refuſe to contribute freely to the Safety of themſelves, and the whole Nation.

Ph. It may be ſo, and it may be not: For if a Parliament then ſit not, it muſt be called; that requires ſix Weeks Time; debating and collecting what is given requires as much; and in this Time the Opportunity perhaps is loſt. Beſides, how many wretched Souls have we heard to ſay in the late Troubles, What Matter is it who gets the Victory? We can pay but what they pleaſe to demand, and ſo much we pay now. And thus they will murmur, as they have ever done, whoſoever ſhall reign over them, as long as their Covetouſneſs and Ignorance hold together, which will be till Doomſday, if better Order be not taken for their Inſtruction in their Duty, both from Reaſon and Religion.

La. For all this I find it ſomewhat hard, that a King ſhould have Right to take from his Subjects, upon the Pretence of Neceſſity, what he pleaſeth.

Ph. I know what it is that troubles your Conſcience in this Point. All Men are troubled at the croſſing of their Wiſhes; but it is our own Fault. Firſt, we wiſh Impoſſibilities; we would have our Security againſt all the World, upon Right of Property, without paying for it: this is impoſſible. We may as well expect that Fiſh and Fowl ſhould boil, roaſt, and diſh themſelves, and come to the Table; and that Grapes ſhould ſqueeze themſelves into our Mouths, and have all other the Contentments and Eaſe which ſome pleaſant Men have related of the Land of *Cocquany*. Secondly, there is no Nation in the World where he, or they that have the Sovereignty, do not take what Money they pleaſe, for the Defence of thoſe reſpective Nations, when they think it neceſſary for their Safety. The late long Parliament deny'd this; but why? becauſe there was a Deſign amongſt them to depoſe the King. Thirdly, there is no Example of any King of *England*, that I have read of, that ever pretended any ſuch Neceſſity, for levying of Money againſt his Conſcience. The greateſt Sums that ever were levy'd (comparing the Value of Money, as it was at that Time, with what it is now) were levied by King *Edward* III. and King *Henry* V. Kings of whom we glory now, and think their Actions great Ornaments to the *Engliſh* Hiſtory. Laſtly, as to the enriching of now and then a Favourite, it is neither ſenſible to the Kingdom, nor is any Treaſure thereby convey'd out of the Realm, but ſo ſpent as it falls down again upon the common People. To think that our Condition, being human, ſhould be ſubject to no Incommodity, were injuriouſly to quarrel with God Almighty for our own Faults; for he hath done his Part in annexing our own Induſtry and Obedience.

La. I know not what to ſay.

Ph. If you allow this that I have ſaid, then, ſay that the People never were, ſhall be, or ought to be free from being taxed at the Will of one or other; being hindered, that if Civil War come, they muſt levy all they have, and that dearly, from the one, or from the other, or from both Sides. Say, that adhering to the King, their Victory is an End of their Trouble; that adhering to his Enemies, there is no End; for the War will continue by a perpetual Subdiviſion, and when it ends, they will be in the ſame Eſtate they were before. That they are often abuſed by Men who to them ſeem wiſe, when their Wiſdom is nothing elſe but Envy to thoſe that are in Grace, and in profitable Employments, and that thoſe Men do but abuſe the common People to their own Ends, that ſet up a private Man's Propriety againſt the public Safety. But ſay withal, that the King is ſubject to the Laws of God, both written and unwritten, and to no other; and ſo was *William the Conqueror*, whoſe Right is all deſcended to our preſent King.

La. As to the Law of Reaſon, which is Equity, 'tis ſure enough there is but one Legiſlator, which is God.

Ph. It followeth then that which you call the Common Law, diſtinct from Statute Law, is nothing elſe but the Law of God.

La. In ſome Senſe it is, but it is not Goſpel, but Natural Reaſon, and Natural Equity.

Ph. Would you have every Man to every other Man alledge for Law his own particular Reaſon? There is not amongſt Men an univerſal Reaſon agreed upon in any Nation, beſides the Reaſon of him that hath the Sovereign Power; yet though his Reaſon be but the Reaſon of one Man, yet it is ſet up to ſupply the Place of that univerſal Reaſon, which is expounded to us by our Saviour in the Goſpel; and conſequently our King is to us the Legiſlator, both of Statute Law and of Common Law.

La. Yes, I know that the Laws Spiritual, which have been Law in this Kingdom ſince the aboliſhing of Popery, are the King's Laws, and thoſe alſo that were made before; for the Canons of the Church of *Rome* were no Laws, neither here nor any where elſe without the Pope's temporal Dominions, farther than Kings and States in their ſeveral Dominions reſpectively did make them ſo.

Ph. I grant that: But you muſt grant alſo, that thoſe ſpiritual Laws were made by Legiſlators of the ſpiritual Law; and yet not all Kings and States make Laws by Conſent of the Lords and Commons; but our King here is ſo far bound to their Aſſents, as he ſhall judge conducing to the Good and Safety of his People: For Example, if the Lords and Commons ſhould adviſe him to reſtore thoſe Laws Spiritual, which in Queen *Mary*'s Time were in Force, I think the King were by the Law of Reaſon obliged, without the Help of any other Law of God, to neglect ſuch Advice.

La. I grant you that the King is ſole Legiſlator, but with this Reſtriction, that if he will not conſult with the Lords of Parliament, and hear the Complaints and Informations of the Commons, that are beſt acquainted with their own Wants, he ſinneth againſt God, though he cannot be compell'd to any thing by his Subjects, by Arms and Force.

Ph. We are agreed upon that already; ſince therefore the King is ſole Legiſlator, I think it alſo Reaſon he ſhould be ſole ſupreme Judge.

The King is the ſupreme Judge.

La. There is no Doubt of that; for otherwiſe there would be no Congruity of Judgments with the Laws. I grant alſo that he is the ſupreme Judge over all Perſons, and in all Cauſes, Civil and Eccleſiaſtical, within his own Dominions, not only by Act of Parliament at this Time, but that he has ever been ſo by the Common Law: For the Judges of both the Benches have their Offices by the King's Letters Patents; and ſo (as to Judicature) have the Biſhops. Alſo the Lord Chancellor hath his Office by receiving from the King the Great Seal of *England*; and to ſay all at once, there is no Magiſtrate or Commiſſioner for public Buſineſs, neither of Judicature, nor Execution in State or Church, in Peace or War, but he is made ſo by Authority from the King.

Ph. 'Tis true: But perhaps you may think otherwiſe, when you read ſuch Acts of Parliament, as ſay, that the King ſhall have Power and Authority to do this or that, by Virtue of that Act, as *Eliz. c.* 1. That your Highneſs, your Heirs and Succeſſors, Kings or Queens of this Realm, ſhall have full Power and Authority, by Virtue of this Act, by Letters Patents under the Great Seal of *England*, to aſſign, *&c.* Was it not this Parliament that gave this Authority to the Queen?

La. No; for the Statute in this Clauſe is no more than (as Sir *Edward Coke* uſeth to ſpeak) an Affirmance of the Common Law; for ſhe being Head of the Church of *England*, might make Commiſſioners for the deciding of Matters Eccleſiaſtical, as freely as if ſhe had been Pope; who did, you know, pretend his Right from the Law of God.

Ph. We have hitherto ſpoken of Laws, without conſidering any thing of the Nature and Eſſence of a Law; and now unleſs we define the word Law, we can go no farther without Ambiguity and Fallacy, which will be but Loſs of Time; whereas, on the contrary, the Agreement upon our Words will enlighten all we have to ſay hereafter.

La. I do not remember the Definition of Law in any Statute.

Ph. I think ſo: For the Statutes were made by Authority, and not drawn from any other Principles than the Care of the Safety of the People. Statutes are not Philoſophy, as is the Common Law and other diſputable Arts, but are Commands or Prohibitions, which ought to be obey'd, becauſe aſſented to by Submiſſion made to the Conqueror here in *England*, and to whoſoever had the Sovereign Power in other Commonwealths; ſo that the poſitive Laws of all Places are Statutes. The Definition of Law was therefore unneceſſary for the Makers of Statutes, though very neceſſary to them, whoſe Work it is to teach the Senſe of the Law.

La. There is an accurate Definition of a Law in *Bracton*, cited by Sir *Ed. Coke*, *Lex eſt ſanctio juſta, jubens honeſta, & prohibens contraria.*

Ph. That is to ſay, Law is a juſt Statute, commanding thoſe Things which are honeſt, and forbidding the contrary. From whence it followeth, that in all Caſes it muſt be the Honeſty or Diſhoneſty that makes the Command a Law, whereas you know that but for the Law we could not (as ſaith St. *Paul)* have known what is Sin; therefore this Definition is no Ground at all for any farther Diſcourſe of Law. Beſides, you know the Rule of Honeſt and Diſhoneſt refers to Honour, and that it is Juſtice only, and Injuſtice, that the Law reſpecteth. But that which I moſt except againſt in this Definition, is, that it ſuppoſes that a Statute made by the Sovereign Power of a Nation may be unjuſt. There may indeed in a Statute Law, made by Men, be found Iniquity, but not Injuſtice.

La. This is ſomewhat ſubtil; I pray deal plainly; what is the Difference between Injuſtice and Iniquity?

Ph. I pray you tell me firſt, what is the Difference between a Court of Juſtice, and a Court of Equity?

La. A Court of Juſtice is that which hath Cognizance of ſuch Cauſes as are to be ended by the poſitive Laws of the Land; and a Court of Equity is that, to which belong ſuch Cauſes as are to be determined by Equity; that is to ſay, by the Law of Reaſon.

Ph. You ſee then that the Difference between Injuſtice and Iniquity is this; that Injuſtice is the Tranſgreſſion of a Statute-Law, and Iniquity the Tranſgreſſion of the Law of Reaſon, and that the Judges of that Law are Courts of Juſtice, becauſe the Breach of the Statute-Law is Iniquity, and Injuſtice alſo. But perhaps you mean by Common Law, not the Law itſelf, but the Manner of proceeding in the Law (as to Matter of Fact) by twelve Men, Freeholders, though thoſe twelve Men are no Court of Equity, nor of Juſtice, becauſe they determine not what is juſt or unjuſt, but only whether it be done or not done; and their Judgment is nothing elſe but a Confirmation of that which is properly the Judgment of the Witneſſes; for to ſpeak exactly, there cannot poſſibly be any Judge of Fact beſides the Witneſſes.

La. How would you have a Law defined?

Ph. Thus; A Law is the Command of him, or them that have the Sovereign Power, given to thoſe that be his or their Subjects, declaring publicly and plainly what every of them may do, and what they muſt forbear to do.

La. Seeing all Judges in all Courts ought to judge according to Equity, which is the Law of Reaſon, a diſtinct Court of Equity ſeemeth to me to be unneceſſary, and but a Burthen to the People, ſince Common Law and Equity are the ſame Law.

Ph. It were ſo indeed, if Judges could not err; but ſince they may err, and that the King is not bound to any other Law but that of Equity, it belongs to him alone to give Remedy to them, that by the Ignorance or Corruption of a Judge ſhall ſuffer Damage.

La. By your Definition of a Law, the King's Proclamation under the Great Seal of *England* is a Law; for it is a Command, and public, and of the Sovereign to his Subjects.

Ph. Why not, if he think it neceſſary for the Good of his Subjects? For this is a Maxim at the Common Law alledged by Sir *Edward Coke* himſelf, 1 *Inſt.* 306. *Quando Lex aliquid concedit, concedere videtur & id per quod devenitur ad illud.* And you know out of the ſame Author, that divers Kings of *England* have often, to the Petitions in Parliament which they granted, annexed ſuch Exceptions as theſe, unleſs there be Neceſſity; ſaving our Regality; which I think ſhould be always underſtood, though they be not expreſſed; and are underſtood ſo by Common Lawyers, who agree that the King may recall any Grant wherein he was deceived.

La. Again, whereas you make it of the Eſſence of a Law to be publicly and plainly declared to the People, I ſee no Neceſſity for that. Are not all Subjects bound to take Notice of all Acts of Parliament, when no Act can paſs without their Conſent?

Ph. If you had ſaid that no Act could paſs without their Knowledge, then indeed they had been bound to take Notice of them; but none can have Knowledge of them but the Members of the Houſes of Parliament, therefore the reſt of the People are excuſed; or elſe the Knights of the Shires ſhould be bound to furniſh People with a ſufficient Number of Copies (at the People's Charge) of the Acts of Parliament at their Return into the Country; that every Man may reſort to them, and by themſelves or Friends, take Notice of what they are obliged to; for otherwiſe it were impoſſible they ſhould be obeyed: and that no Man is bound to do a thing impoſſible, is one of Sir *Edward Coke*'s Maxims at the Common Law. I know that moſt of the Statutes are printed, but it does not appear that every Man is bound to buy the Book of Statutes, nor to ſearch at *Weſtminſter* or at the *Tower*, nor to underſtand the Language wherein they are for the moſt part written.

La. I grant it proceeds from their own Faults; but no Man can be excuſed by the Ignorance of the Law of Reaſon; that is to ſay, by Ignorance of the Common Law, except Children, Madmen, and Ideots: but you exact ſuch a Notion of the Common Law, as is almoſt impoſſible. Is it not enough that they in all Places have a ſufficient Number of the Penal Statutes?

Ph. Yes, if they have thoſe Penal Statutes near them; but what Reaſon can you give me why there ſhould not be as many Copies abroad of the Statutes, as there be of the Bible?

La. I think it were well that every Man that can read had a Statute Book; for certainly no Knowledge of thoſe Laws, by which Mens Lives and Fortunes can be brought into Danger, can be too much. I find a great Fault in your Definition of Law; which is, that every Law either forbiddeth or commandeth ſomething. 'Tis true, that the Moral Law is always a Command or a Prohibition, or at leaſt implieth it; but in the *Levitical* Law, where it is ſaid, that he that ſtealeth a Sheep ſhall reſtore four-fold; what Command or Prohibition lieth in theſe Words?

Ph. Such Sentences as that are not in themſelves general, but Judgments; nevertheleſs there is in thoſe Words implied a Commandment to the Judge, to cauſe to be made a four-fold Reſtitution.

La. That's right.

Ph. Now define what Juſtice is, and what Actions and Men are to be called Juſt.

La. Juſtice is the conſtant Will of giving to every Man his own; that is to ſay, of giving to every Man that which is his Right, in ſuch manner as to exclude the Right of all Men elſe to the ſame thing. A juſt Action is that which is not againſt the Law. A juſt Man is he that hath a conſtant Will to live juſtly; if you require more, I doubt there will no Man living be comprehended within the Definition.

Ph. Seeing then that a juſt Action, according to your Definition, is that which is not againſt the Law; it is manifeſt that before there was a Law, there could be no Injuſtice, and therefore Laws are in their Nature antecedent to Juſtice and Injuſtice, and you cannot deny but there muſt be Law-makers, before there were any Laws, and conſequently before there was any Juſtice; I ſpeak of human Juſtice; and that Law-makers were before that which you call Own, or Property of Goods, or Lands diſtinguiſhed by *Meum*, *Tuum*, *Alienum*.

La. That muſt be granted; for without Statute-Laws, all Men have Right to all things; and we have had Experience when our Laws were ſilenced by Civil War, there was not a Man, that of any Goods could ſay aſſuredly they were his own.

Ph. You ſee then that no private Man can claim a Propriety in any Lands, or other Goods, from any Title, from any Man, but the King, or them that have the Sovereign Power; becauſe it is in Virtue of the Sovereignty, that every Man may not enter into, and poſſeſs what he pleaſeth; and conſequently to deny the Sovereign any thing neceſſary to the ſuſtaining of his ſovereign Power, is to deſtroy the

Propriety he pretends to. The next Thing I will aſk you is, how you diſtinguiſh between Law and Right, or *Lex* and *Jus?*

La. Sir *Edward Coke* in divers Places makes *Lex* and *Jus* to be the ſame, and ſo *Lex Communis*, and *Jus Communis* to be all one; nor do I find that he does in any Place diſtinguiſh them.

Ph. Then will I diſtinguiſh them, and make you judge whether my Diſtinction be not neceſſary to be known by every Author of the Common Law: for Law obligeth me to do, or forbear the doing of ſomething; and therefore it lies upon me an Obligation; but my Right is a Liberty left me by the Law to do any thing which the Law forbids me not, and to leave undone any thing which the Law commands me not. Did Sir *Edward Coke* ſee no Difference between being bound and being free?

La. I know not what he ſaw, but he has not mention'd it; and though a Man may diſpenſe with his own Liberty, he cannot do ſo with the Law.

Ph. But what are you better for your Right, if a rebellious Company at home, or an Enemy from abroad, take away the Goods, or diſpoſſeſs you of the Lands you have a Right to? Can you be defended, or repair'd, but by the Strength and Authority of the King? What Reaſon therefore can be given by a Man that endeavours to preſerve his Propriety, why he ſhould deny, or malignly contribute to the Strength that ſhould defend him, or repair him? Let us ſee now what your Books ſay to this Point, and other Points of the Right of Sovereignty. *Bracton*, the moſt authentic Author of the Common Law, *fol.* 55. ſaith thus: *Ipſe Dominus Rex habet omnia Jura in manu ſuâ; eſt Dei Vicarius; habet ea quæ ſunt Pacis; habet etiam coercionem ut Delinquentes puniat; habet in poteſtate ſuâ Leges; nihil enim prodeſt Jura condere, niſi ſit qui Jura tueatur:* That is to ſay, Our Lord the King hath all Right in his own Hands; is God's Vicar; he has all that concerns the Peace; he has the Power to puniſh Delinquents; all the Laws are in his Power; to make Laws is to no Purpoſe, unleſs there be ſomebody to make them obey'd. If *Bracton*'s Law be Reaſon, as I and you think it is, what temporal Power is there which the King hath not? Seeing that at this Day all the Power ſpiritual which *Bracton* allows the Pope, is reſtored to the Crown; what is there that the King cannot do, excepting Sin againſt the Law of God? The ſame *Bracton*, *lib.* 21. *c.* 8. ſaith thus: *Si autem a Rege petitur (cum Breve non curret contra ipſum) locus erit ſupplicationi, quod factum ſuum corrigat, & emendet; quod quidem ſi non fecerit, ſatis ſufficit ad pœnam, quod Dominum expectet Ultorem; nemo quidem de factis ejus præſumat diſputare, multo fortius contra factum ejus venire:* That is to ſay, If any thing be demanded of the King (ſeeing a Writ lieth not againſt him) he is put to his Petition, praying him to correct and amend his own Fact; which if he will not do, it is a ſufficient Penalty for him, that he is to expect a Puniſhment from the Lord; no Man may preſume to diſpute of what he does, much leſs to reſiſt him. You ſee by this, that this Doctrine concerning the Rights of Sovereignty ſo much cry'd down by the long Parliament, is the ancient Common Law; and that the only Bridle of the Kings of *England*, ought to be the Fear of God. And again *Bracton*, *c.* 24. of the ſecond Book, ſays, That the Rights of the Crown cannot be granted away: *Ea vero quæ Juriſdictionis & Pacis, & ea quæ ſunt Juſtitiæ & Paci annexa, ad nullum pertinent, niſi ad Coronam & Dignitatem Regiam, nec a Corona ſeparari poſſunt, nec a privata perſona poſſideri:* That is to ſay, Thoſe Things which belong to Juriſdiction and Peace, and thoſe Things that are annexed to Juſtice and Peace, appertain to none but to the Crown and Dignity of the King, nor can be ſeparated from the Crown, nor be poſſeſs'd by a private Perſon. Again you'll find in *Fleta* (a Law Book written in the Time of *Edward* II.) That Liberties, though granted by the King, if they tend to the Hindrance of Juſtice, or Subverſion of the Regal Power, were not to be uſed, nor allowed: For in that Book, *c.* 20. concerning Articles of the Crown, which the Juſtices itinerant are to enquire of, the 54th Article is this, You ſhall enquire *de Libertatibus conceſſis quæ impediunt*

Communem Juſtitiam, & Regiam Poteſtatem ſubvertunt. Now what is a greater Hindrance to Common Juſtice, or a greater Subverſion of the Regal Power, than a Liberty in Subjects to hinder the King from raiſing Money neceſſary to ſuppreſs, or prevent Rebellions, which doth deſtroy Juſtice, and ſubvert the Power of the Sovereignty? Moreover, when a Charter is granted by a King in theſe Words: *Dedita & coram pro me & Hæredibus meis*; the Grantor, by the Common Law, (as Sir *Edward Coke* ſays in his Commentaries on *Littleton)* is to warrant his Gift; and I think it Reaſon, eſpecially if the Gift be upon Conſideration of a Price paid. Suppoſe a foreign State ſhould lay Claim to this Kingdom ('tis no Matter as to the Queſtion I am putting, whether the Claim be unjuſt) how would you have the King to warrant to every Freeholder in *England* the Lands they hold of him by ſuch a Charter? If he cannot levy Money, their Eſtates are loſt, and ſo is the King's Eſtate; and if the King's Eſtate be gone, how can he repair the Value due upon the Warranty? I know that the King's Charters are not ſo merely Grants, a that they are not alſo Laws; but they are ſuch Laws as ſpeak not to all the King's Subjects in general, but only to his Officers; implicitly forbidding them to judge or execute any thing contrary to the ſaid Grants. There be many Men that are able Judges of what is right Reaſon, and what not; when any of theſe ſhall know that a Man has no Superior nor Peer in the Kingdom, he will hardly be perſuaded he can be bound by any Law of the Kingdom; or that he who is ſubject to none but God, can make a Law upon himſelf, which he cannot as eaſily abrogate, as he made it. The main Argument, and that which ſo much taketh with the Throng of People, proceedeth from a needleſs Fear, put into their Minds by ſuch Men as mean to make uſe of their Hands to their own Ends; for if, ſay they, the King may (notwithſtanding the Law) do what he pleaſe, and hath nothing to reſtrain him but the Fear of Puniſhment in the World to come, then (in caſe there come a King that fears no ſuch Puniſhment) he may take away from us, not only our Lands, Goods, and Liberties, but our Lives alſo if he will: And they ſay true; but they have no Reaſon to think he will, unleſs it be for his own Profit, which cannot be; for he loves his own Power; and what becomes of his Power when his Subjects are deſtroy'd or weakened, by whoſe Multitude and Strength he enjoys his Power, and every one of his Subjects his Fortune? And laſtly, whereas they ſometimes ſay the King is bound, not only to cauſe his Laws to be obſerved, but alſo to obſerve them himſelf; I think the King cauſing them to be obſerved, is the ſame Thing as obſerving them himſelf: For I never heard it taken for good Law, that the King may be indicted, or appealed, or ſerved with a Writ, till the long Parliament practiſed the contrary upon the good King *Charles*, for which divers of them were executed, and the reſt by our preſent King pardoned.

La. Pardoned by the King and Parliament.

Ph. By the King in Parliament, if you will, but not by the King and Parliament: you cannot deny, but that the pardoning of Injury, to the Perſon that is injured, Treaſon, and other Offences againſt the Peace, and againſt the Right of the Sovereign, are Injuries done to the King; and therefore whoſoever is pardoned any ſuch Offence, ought to acknowledge he owes his Pardon to the King alone: But as to ſuch Murders, Felonies, and other Injuries as are done to any Subject, how mean ſoever, I think it great Reaſon that the Parties endamaged ought to have Satisfaction before ſuch Pardon be allow'd. And in the Death of a Man, where Reſtitution of Life is impoſſible, what can any Friend, Heir, or other Party that may appeal, require more than reaſonable Satisfaction ſome other way? Perhaps he will be content with nothing but Life for Life; but that is Revenge, and belongs to God, and under God to the King, and none elſe; therefore if there be reaſonable Satisfaction tender'd, the King, without Sin, I think, may pardon him. I am ſure, if the pardoning him be a Sin, that neither King, nor Parliament, nor any earthly Power, can do it.

La. You ſee by this your own Argument, that the Act of *Oblivion*, without a Parliament, could not have paſſed; becauſe, not only the King, but alſo moſt of the Lords, and abundance of common People, had received Injuries; which not being pardonable, but by their own Aſſent, it was abſolutely neceſſary that it ſhould be done in Parliament, and by the Aſſent of the Lords and Commons.

Ph. I grant it; but I pray you tell me now what is the Difference between a general Pardon, and an Act of *Oblivion?*

La. The word Act of *Oblivion* was never in our Books before; but I believe it is in yours.

Ph. In the State of *Athens* long ago, for the aboliſhing of the Civil War, there was an Act agreed on; that from that Time forward, no Man ſhould be moleſted for any thing (before that Act done) whatſoever without Exception, which Act the Makers of it called an Act of *Oblivion*; not that all Injuries ſhould be forgotten (for then we could never have had the Story) but that they ſhould not riſe up in Judgment againſt any Man. And in imitation of this Act, the like was propounded (though it took no Effect) upon the Death of *Julius Cæſar*, in the Senate of *Rome*. By ſuch an Act you may eaſily conceive that all Accuſations for Offences paſt were abſolutely dead, and buried, and yet we have no great Reaſon to think, that the objecting one to another of the Injuries pardoned, was any Violation of thoſe Acts, except the ſame were ſo expreſſed in the Act itſelf.

La. It ſeems then that the Act of *Oblivion* was here no more, nor of other nature, than a general Pardon.

Of COURTS.

Ph. SINCE you acknowledge that in all Controverſies, the Judicature originally belongeth to the King, and ſeeing that no Man is able in his own Perſon to execute an Office of ſo much Buſineſs; what Order is taken for deciding of ſo many, and ſo various Controverſies?

La. There be divers ſorts of Controverſies, ſome of which are concerning Mens Titles to Lands and Goods; and ſome Goods are corporeal, as Lands, Money, Cattle, Corn, and the like, which may be handled, or ſeen; and ſome incorporeal, as Privileges, Liberties, Dignities, Offices, and many other good Things, mere Creatures of the Law, and cannot be handled or ſeen: And both of theſe Kinds are concerning *Meum* and *Tuum*. Others there are concerning Crimes puniſhable divers Ways; and amongſt ſome of theſe, part of the Puniſhment is ſome Fine or Forfeiture to the King, and then it is called a Plea of the Crown, in caſe the King ſue the Party, otherwiſe it is but a private Plea, which they call an Appeal: And though upon Judgment in an Appeal the King ſhall have his Forfeiture; yet it cannot be called a Plea of the Crown, but when the Crown pleadeth for it. There be alſo other Controverſies concerning the Government of the Church, in order to Religion, and virtuous Life. The Offences both againſt the Crown, and againſt the Laws of the Church, are Crimes; but the Offences of one Subject againſt another, if they be not againſt the Crown, the King pretendeth nothing in thoſe Pleas, but the Reparation of his Subjects injur'd.

Ph. A Crime is an Offence of any kind whatſoever, for which a Penalty is ordain'd by the Law of the Land: But you muſt underſtand that Damages awarded to the Party injur'd, has nothing common with the nature of a Penalty, but is meerly a Reſtitution, or Satisfaction due to the Party griev'd by the Law of Reaſon, and conſequently is no more a Puniſhment than is the paying of a Debt.

La. It ſeems by this Definition of a Crime, you make no Difference between a Crime and a Sin.

Ph. All Crimes are indeed Sins, but not all Sins Crimes. A Sin may be in the Thought or ſecret Purpoſe of a Man, of which neither a Judge, nor a Witneſs, nor any Man can take Notice; but a Crime is ſuch a Sin as conſiſts in an Action againſt the Law, of which Action he can be accuſed, and tried by a Judge, and be convinced, or cleared by Witneſſes. Farther; that which is no Sin in itſelf, but indifferent, may be made Sin by a poſitive Law: As when the Statute was in force, that no Man ſhould wear Silk in his Hat; after the Statute, ſuch wearing of Silk was a Sin, which was not ſo before. Nay, ſometimes an Action that's good in itſelf, by the Statute Law may be made a Sin; as if a Statute ſhould be made to forbid the giving of Alms to a ſtrong ſturdy Beggar; ſuch Alms after that Law would be a Sin, but not before: for then it was Charity, the Object whereof is not the Strength, or other Quality of the poor Man, but his Poverty. Again, he that ſhould have ſaid in Queen *Mary*'s Time, that the *Pope* had no Authority in *England*, ſhould have been burnt at a Stake; but for ſaying the ſame in the Time of Queen *Elizabeth*, ſhould have been commended. You ſee by this, that many Things are made Crimes, and no Crimes, which are not ſo in their own Nature, but by Diverſity of Law, made upon Diverſity of Opinion, or of Intereſt by them which have Authority: And yet thoſe Things, whether good or evil, will paſs ſo with the Vulgar (if they hear them often with odious Terms recited) for heinous Crimes in themſelves; as many of thoſe Opinions, which are in themſelves pious, and lawful, were heretofore by the Pope's Intereſt therein called deteſtable Hereſy. Again; ſome Controverſies are of things done upon the Sea, others of things done upon the Land. There need be many Courts to the deciding of ſo many kinds of Controverſies. What order is there taken for their Diſtribution?

La. There be an extraordinary great Number of Courts in *England*; Firſt; there be the King's Courts both for Law and Equity in matters Temporal, which are the Chancery, the King's Bench, the Court of Common Pleas, and for the King's Revenue the Court of the Exchequer; and there be Subjects Courts by Privilege, as the Courts in *London*, and other privileg'd Places. And there be other Courts of Subjects, as the Court of Landlords, called the Court of Barons, and the Courts of Sheriffs. Alſo the Spiritual Courts are the King's Courts at this Day, though heretofore they were the Pope's Courts. And in the King's Courts, ſome have their Judicature by Office, and ſome by Commiſſion, and ſome Authority to hear, and determine, and ſome only to enquire and to certify into other Courts. Now for the Diſtribution of what Pleas every Court may hold, it is commonly held, that all the Pleas of the Crown, and all Offences contrary to the Peace, are to be holden in the King's Bench, or by Commiſſioners; for *Bracton* ſaith, *Sciendum eſt, quod ſi Actiones ſunt Criminales, in Curia Domini Regis debent determinari; cum ſit ibi pæna Corporalis infligenda, & hoc coram ipſo Rege, ſi tangat perſonam ſuam, ſicut Crimen Læſæ Majeſtatis, vel coram Juſticiariis ad hoc ſpecialiter aſſignatis:* That is to ſay; That if the Plea be criminal, it ought to be determined in the Court of our Lord the King, becauſe there they have Power to inflict corporal Puniſhment; and if the Crime be againſt his Perſon, as the Crime of Treaſon, it ought to be determin'd before the King himſelf; or if it be againſt a private Perſon, it ought to be determin'd by Juſtices aſſigned; that is to ſay, before Commiſſioners. It ſeems by this, that heretofore Kings did hear and determine Pleas of Treaſon againſt themſelves, by their own Perſons; but it has been otherwiſe long a Time, and is now: For it is now the Office of the Lord Steward of *England* in the Trial of a Peer, to hold that Plea by a Commiſſion eſpecially for the ſame. In Cauſes concerning *Meum* and *Tuum*, the King may ſue, either in the King's Bench, or in the Court of Common Pleas, as it appears by *Fitzherbert* in his *Natura Brevium*, at the Writ of Eſcheat.

Ph. A King perhaps will not ſit to determine Cauſes of Treaſon againſt his Perſon, leſt he ſhould ſeem to make himſelf Judge in his own Cauſe; but that it ſhall be judged by Judges of his own making, can never be avoided, which is all one as if he were Judge himſelf.

La. To the King's Bench alſo (I think) belongeth the hearing, and determining all manner of Breaches of the Peace whatſoever, ſaving always to the King that he may do the ſame, when he pleaſeth, by Commiſſioners. In the Time of *Henry* III. and *Edward* I. (when *Bracton* wrote) the King did uſually ſend down every ſeven Years into the Country Commiſſioners, called Juſtices Itinerant, to hear and determine generally all Cauſes Temporal, both Criminal and Civil, whoſe Places have been now a long Time ſupplied by the Juſtices of Aſſize, with Commiſſions of the Peace of *Oyer* and *Terminer*, and of Goal-delivery.

Ph. But why may the King only ſue in the King's Bench, or Court of Common Pleas, which he will, and no other Perſon may do the ſame?

La. There is no Statute to the contrary, but it ſeemeth to be the Common Law; for Sir *Edward Coke*, 4 *Inſt.* ſetteth down the Juriſdiction of the King's Bench; which (he ſays) has, Firſt, Juriſdiction in all Pleas of the Crown. Secondly, The correcting of all manner of Errors of other Juſtices, and Judges, both of Judgments and Proceſs (except of the Court of Exchequer) which, he ſays, is to this Court *Proprium quarto modo.* Thirdly, That it has Power to correct all Miſdemeanours *extrajudicial* tending to the Breach of the Peace, or Oppreſſion of the Subjects, or raiſing of Factions, Controverſies, Debates, or any other manner of Miſgovernment. Fourthly, It may hold Plea by Writ out of the Chancery of all Treſpaſſes done *Vi & Armis.* Fifthly, It hath Power to hold Plea by Bill for Debt, Detinue, Covenant, Promiſe, and all other perſonal Actions. But of the Juriſdiction of the King's Bench in Actions real he ſays nothing; ſave, that if a Writ in a real Action be abated by Judgment in the Court of Common Pleas, and that the Judgment be by a Writ of Error reverſed in the King's Bench, then the King's Bench may proceed upon the Writ.

Ph. But how is the Practice?

La. Real Actions are commonly decided, as well in the King's Bench, as in the Court of Common Pleas.

Ph. When the King by Authority in Writing maketh a Lord Chief Juſtice of the King's Bench: does he not ſet down what he makes him for?

La. Sir *Edward Coke* ſets down the Letters Patents, whereby of ancient Time the Lord Chief Juſtice was conſtituted, wherein is expreſſed to what end he hath his Office; *Pro Conſervatione noſtra, & tranquilitatis Regni noſtri, & ad Juſtitiam univerſalis & ſingulis de Regno noſtro exhibendam, Conſtituimus Dilectum & Fidelem noſtrum* P. B. *Juſticiarium Angliæ, quamdiu nobis placuerit Capitalem, &c.* That is to ſay, for the Preſervation of ourſelf, and of the Peace of our Realm, and for the doing of Juſtice to all and ſingular our Subjects, we have conſtituted our Beloved and faithful *P. B.* during our Pleaſure, Chief Juſtice of *England*, &c.

Ph. Methinks 'tis very plain by theſe Letters Patents, that all Cauſes Temporal within the Kingdom (except the Pleas that belong to the Exchequer) ſhould be decidable by this Lord Chief Juſtice. For as to Cauſes Criminal, and that concern the Peace, it is granted him in theſe Words, *for the Converſation of ourſelf, and Peace of the Kingdom,* wherein are contained all Pleas Criminal; and, in the doing of Juſtice to all and ſingular the King's Subjects, are comprehended all Pleas Civil. And as to the Court of Common Pleas, it is manifeſt it may hold all manner of Civil Pleas (except thoſe of the Exchequer) by *Magna Charta, Cap.* 11. So that all original Writs concerning Civil Pleas are returnable into either of the ſaid Courts. But how is the Lord Chief Juſtice made now?

La. By theſe Words in their Letters Patents; *Conſtituimus vos Juſticiarium noſtrum Capitalem ad Placita coram nobis tenenda, durante bene placito noſtro:* That is to ſay, We have made you our Chief Juſtice to hold Pleas before ourſelf, during our Pleaſure. But this Writ, though it be ſhorter, does not at all abridge the

Power they had by the former. And for the Letters Patents for the Chief Juſtice of the Common Pleas, they go thus, *Conſtituimus dilectum & fidelem*, &c. *Capitalem Juſticiarum de Communi Banco, habendum*, &c. *quamdiu nobis placuerit, cum vadiis & fœdis ab antiquo debitis & conſuetis: Id eſt*, We have conſtituted our beloved and faithful, *&c.* Chief Juſtice of the Common Bench, to have *&c.* during our Pleaſure, with the Ways and Fees thereunto heretofore due, and uſual.

Ph. I find in Hiſtory, that there have been in *England* always a Chancellor and a Chief Juſtice of *England*, but of a Court of Common Pleas there is no Mention before *Magna Charta*. Common Pleas there were ever both here, and I think, in all Nations; for Common Pleas and Civil Pleas I take to be the ſame.

La. Before the Statute of *Magna Charta*, Common Pleas (as Sir *Edw. Coke* granteth, 2 *Inſt.* p. 21.) might have been holden in the King's Bench; and that Court being removeable at the King's Will, the Returns of Writs *Coram nobis ubicunque fuerimus in Anglia*; whereby great Trouble of Jurors enſued, and great Charges of the Parties, and Delay of Juſtice; and that for theſe Cauſes it was ordained, that the Common Pleas ſhould not follow the King, but be held in a Place certain.

Ph. Here Sir *Edw. Coke* declares his Opinion, that no Common Plea can be holden in the King's Bench, in that he ſays they might have been holden then. And yet this doth not amount to any probable Proof, that there was any Court of Common Pleas in *England* before *Magna Charta*: For this Statute being to eaſe the Jurors, and leſſen the Charges of Parties, and for the Expedition of Juſtice, had been in vain, if there had been a Court of Common Pleas then ſtanding; for ſuch a Court was not neceſſarily to follow the King, as was the Chancery and the King's Bench. Beſides, unleſs the King's Bench, whereſoever it was, held Plea of Civil Cauſes, the Subject had not at all been eaſed by this Statute: For ſuppoſing the King at *York*, had not the King's Subjects about *London*, Jurors and Parties, as much Trouble and Charge to go to *York*, as the People about *York* had before to go to *London*? Therefore I can by no Means believe otherwiſe, than that the Erection of the Court of Common Pleas was the Effect of that Statute of *Magna Charta*, *c.* 11. and before that Time not exiſtent, though I think that for the Multiplicity of Suits in a great Kingdom there was need of it.

La. Perhaps there was not ſo much need of it as you think: For in thoſe Times the Laws, for the moſt part, were in ſettling, rather than ſettled; and the old *Saxon* Laws concerning Inheritances were then practiſed, by which Laws ſpeedy Juſtice was executed by the King's Writs, in the Courts of Barons, which were Landlords to the reſt of the Freeholders; and Suits of Barons in County Courts, and but few Suits in the King's Courts, but when Juſtice could not be in thoſe inferior Courts; but at this Day there be more Suits in the King's Courts, than any one Court can diſpatch.

Ph. Why ſhould there be more Suits now, than formerly? For I believe this Kingdom was as well peopled then as now.

La. Sir *Edw. Coke*, 4 *Inſt.* p. 76. aſſigneth for it ſix Cauſes, 1. Peace; 2. Plenty; 3. The Diſſolution of religious Houſes, and diſperſing of their Lands among ſo many ſeveral Perſons; 4. The Multitude of Informers; 5. The Number of Concealers; 6. The Multitude of Attorneys.

Ph. I ſee Sir *Edw. Coke* has no mind to lay any Fault upon the Men of his own Profeſſion; and that he aſſigns for Cauſes of the Miſchiefs, ſuch Things as would be Miſchief, and Wickedneſs to amend; for if Peace and Plenty be the Cauſe of this Evil, it cannot be removed but by War and Beggary; and the Quarrels ariſing about the Lands of religious Perſons cannot ariſe from the Lands, but from the Doubtfulneſs of the Laws. And for Informers, they were authoriſed by Statutes, to the Execution of which Statutes they are ſo neceſſary, as that their Number cannot be too great, and if it be too great the Fault is in the Law itſelf. The Number of Concealers are indeed a Number of Couſeners, which the Law may eaſily correct.

And laſtly, for the Multitude of Attorneys, it is the Fault of them that have better learned the Art of Cavilling againſt the Words of a Statute, than heretofore they had, and thereby encourage themſelves, and others, to undertake Suits upon little Reaſon. Alſo the Variety and Repugnancy of Judgments of Common Law do oftentimes put Men to hope for Victory in Cauſes, whereof in Reaſon they had no Ground at all. Alſo the Ignorance of what is Equity in their own Cauſes, which Equity not one Man in a thouſand ever ſtudied, and the Lawyers themſelves ſeek not for their Judgments in their own Breaſt, but in the Precedents of former Judges, as the ancient Judges ſought the ſame, not in their own Reaſon, but in the Laws of the Empire. Another, and perhaps the greateſt Cauſe of Multitude of Suits, is this, that for want of regiſtering of Conveyances of Land, which might eaſily be done in the Townſhips where the Lands lie, a Purchaſe cannot eaſily be had, which will not be litigious. Laſtly, I believe the Covetouſneſs of Lawyers was not ſo great in ancient Time, which was full of Trouble, as they have been ſince in time of Peace, wherein Men have Leiſure to ſtudy Fraud, and get Employment from ſuch Men as can encourage to Contention. And how ample a Field they have to exerciſe this Myſtery in, is manifeſt from this, that they have a Power to ſcan and conſtrue every Word in a Statute, Charter, Feofment, Leaſe, or other Deed, Evidence or Teſtimony. But to return to the Juriſdiction of this Court of the King's Bench, where, as you ſay, it hath Power to correct and amend the Errors of all other Judges, but in Proceſs, and in Judgments; cannot the Judges of the Common Pleas correct Error in Proceſs in their own Courts, without a Writ of Error from another Court?

La Yes; and there be many Statutes which command them ſo to do.

Ph. When a Writ of Error is brought out of the King's Bench, be it either Error in Proceſs, or in Law, at whoſe Charge is it to be done?

La. At the Charge of the Client.

Ph. I ſee no Reaſon for that; for the Client is not in Fault, who never begins a Suit but by the Advice of his Counſel learned in the Law, whom he pays for his Counſel given. Is not this the Fault of his Counſellor? Nor when a Judge in the Common Pleas hath given an erroneous Sentence, is it always likely that the Judge of the King's Bench will reverſe the Judgment, (though there be no Queſtion but, as you may find in *Bracton* and other learned Men, he has Power to do it) becauſe being Profeſſors of the ſame Common Law, they are perſuaded, for the moſt Part, to give the ſame Judgments: For Example; if Sir *Edw. Coke* in the laſt Term that he ſate Lord Chief Juſtice in the Court of Common Pleas, had given an erroneous Judgment, is it likely that when he was removed and made Lord Chief Juſtice of the King's Bench, he would therefore have reverſed the ſaid Judgment? It is poſſible he might, but not very likely. And therefore I do believe there is ſome other Power, by the King conſtituted, to reverſe erroneous Judgments, both in the King's Bench, and in the Court of Common Pleas.

La. I think not; for there is a Statute to the contrary, made 4 *Henry* 4. *cap.* 23. in theſe Words; Whereas, as well in Plea real, as in Plea perſonal, after Judgment in the Court of our Lord the King, the Parties be made to come upon grievous Pain, ſometimes before the King himſelf, ſometimes before the King's Council, and ſometimes to the Parliament, to anſwer thereof a-new, to the great impoveriſhing of the Parties aforeſaid, and to the Subverſion of the Common Law of the Land, it is ordained and eſtabliſhed, that after Judgment given in the Court of our Lord the King, the Parties, and their Heirs, ſhall be there in Peace, until the Judgment be undone by Attaint or by Error, if there be Error, as hath been uſed by the Laws in the Times of the King's Progenitors.

Ph. This Statute is ſo far from being repugnant to that I ſay, as it ſeemeth to me to have been made expreſly to confirm the ſame: For the Subſtance of the Statute is, that there ſhall be no Suit made by either of the Parties for any thing adjudged, either in the King's Bench, or Court of Common Pleas, before the Judgment be undone by Error, or Corruption proved; and that this was the Common

Law before this making of the Statute, which could not be, except there were (before this Statute) ſome Courts authoriſed to examine, and correct ſuch Errors as by the Plaintiff ſhould be aſſigned. The Inconvenience which by this Statute was to be remedied was this, that often Judgment given in the King's Courts, by which are meant in this Place the King's Bench and Court of Common Pleas, the Party againſt whom the Judgment was given, did begin a new Suit, and cauſe his Adverſary to come before the King himſelf; here by the King himſelf muſt be underſtood the King in Perſon; for though in a Writ by the Words *Coram nobis* is underſtood the King's Bench, yet in a Statute it is never ſo. Nor is it ſtrange, ſeeing in thoſe Days the King did uſually ſit in Court with his Council, to hear Cauſes, as ſometimes King *James*. And ſometimes the ſame Parties commenced their Suit before the Privy Council, though the King were abſent; and ſometimes before the Parliament, the former Judgment yet ſtanding. For Remedy whereof, it was ordained by this Statute, that no Man ſhould renew his Suit, till the former Judgment was undone by Attaint or Error; which reverſing of a Judgment had been impoſſible, if there had been no Court (beſides the aforeſaid two Courts) wherein the Errors might be aſſigned, examined, and judged; for no Court can be eſteemed in Law, or Reaſon, a competent Judge of its own Errors. There was therefore before this Statute ſome other Court exiſtent for the hearing of Errors, and reverſing of erroneous Judgments. What Court this was I enquire not yet, but I am ſure it could not be either the Parliament or the Privy Council, or the Court wherein the erroneous Judgment was given.

La. The Doctor and Student diſcourſe of this Statute, *cap.* 18. much otherwiſe than you do: For the Author of that Book ſaith, that againſt an erroneous Judgment all Remedy is by this Statute taken away. And though neither Reaſon, nor the Office of a King, nor any Law poſitive can prohibit the remedying of any Injury, much leſs of an unjuſt Sentence, yet he ſhews many Statutes, wherein a Man's Conſcience ought to prevail above the Law.

Ph. Upon what ground can he pretend, that all Remedy in this Caſe is by this Statute prohibited?

La. He ſays it is thereby enacted, that Judgment given by the King's Courts ſhall not be examined in the Chancery, Parliament, nor elſewhere.

Ph. Is there any Mention of Chancery in this Act? It cannot be examined before the King and his Council, nor before the Parliament, but you ſee that before the Statute it was examined ſomewhere, and that this Statute will have it examined there again.

And ſeeing the Chancery was altogether the higheſt Office of Judicature in the Kingdom for Matter of Equity, and that the Chancery is not here forbidden to examine the Judgments of all other Courts, at leaſt it is not taken from it by this Statute. But what Caſes are there in this Chapter of the Doctor and Student, by which it can be made probable, that when Law and Conſcience, or Law and Equity, ſeem to oppugn one another, the written Law ſhould be preferred?

La. If the Defendant wage his Law in an Action of Debt brought upon a true Debt, the Plaintiff hath no Means to come to his Debt by way of Compulſion, neither by *Subpœna*, nor otherwiſe, and yet the Defendant is bound in Conſcience to pay him.

Ph. Here is no preferring that I ſee, of the Law above Conſcience, or Equity; for the Plaintiff in this Caſe loſeth not his Debt for want either of Law, or Equity, but for want of Proof; for neither Law nor Equity can give a Man his Right, unleſs he prove it.

La. Alſo if the Grand Jury in Attaint affirm a falſe Verdict given by the Petty Jury, there is no farther Remedy, but the Conſcience of the Party.

Ph. Here again the want of Proof is the want of Remedy; for if he can prove that the Verdict given was falſe, the King can give him Remedy ſuch way as himſelf ſhall think beſt; and ought to do it, in caſe the Party ſhall find Surety, if the ſame Verdict be again affirmed, to ſatisfy his Adverſary for the Damage, and Vexation he puts him to.

La. But there is a Statute made ſince; *viz.* 27 *Eliz. c.* 8. by which that Statute of 4 *Hen.* 4. 23. is in part taken away; for by that Statute erroneous Judgments given in the King's Bench, are by a Writ of Error to be examined in the Exchequer Chamber, before the Juſtices of the Common Bench, and the Barons of the Exchequer; and by the Preamble of this Act it appears, that erroneous Judgments are only to be reformed by the High Court of Parliament.

Ph. But here is no mention, that the Judgments given in the Court of Common Pleas ſhould be brought in to be examined in the Exchequer Chamber; why therefore may not the Court of Chancery examine a Judgment given in the Court of Common Pleas?

La. You deny not but by the ancient Law of *England*, the King's Bench may examine the Judgment given in the Court of Common Pleas.

Ph. 'Tis true; but why may not alſo the Court of Chancery do the ſame, eſpecially if the Fault of the Judgment be againſt Equity, and not againſt the Letter of the Law?

La. There is no Neceſſity of that; for the ſame Court may examine both the Letter and the Equity of the Statute.

Ph. You ſee by this, that the Juriſdiction of Courts cannot eaſily be diſtinguiſhed, but by the King himſelf in his Parliament. The Lawyers themſelves cannot do it; for you ſee what Contention there is between Courts, as well as between particuiar Men. And whereas you ſay, that Law of 4 *Hen.* 4. 23. is by that of 27*Eliz c.* 8. taken away, I do not find it ſo. I find indeed a Diverſity of Opinion between the Makers of the former and the latter Statute, in the Preamble of the latter and Concluſion of the former. The Preamble of the latter is; Foraſmuch as erroneous Judgments given in the Court called the King's Bench, are only to be reformed in the High Court of Parliament: and the Concluſion of the former is; That the contrary was Law in the Times of the King's Progenitors. Theſe are no Parts of thoſe Laws, but Opinions only concerning the ancient Cuſtom in that Caſe, ariſing from the different Opinions of the Lawyers in thoſe different Times, neither commanding, nor forbidding any thing; though of the Statutes themſelves, the one forbids that ſuch Pleas be brought before the Parliament, the other forbids it not: But yet if after the Act of *Henry* 4. ſuch a Plea had been brought before the Parliament, the Parliament might have heard and determined it; for the Statute forbids not that: nor can any Law have the Force to hinder the Parliament of any Juriſdiction whatſoever they pleaſe to take upon them, ſeeing it is a Court of the King and of all the People together, both Lords and Commons.

La. Though it be, yet ſeeing the King (as Sir *Edward Coke* affirms, 4 *Inſt. p.* 71.) hath committed all his Power judicial, ſome to one Court and ſome to another, ſo as if any Man would render himſelf to the Judgment of the King, in ſuch Caſe where the King hath committed all his Power judicial to others, ſuch a Render ſhould be to no Effect. And p. 73. he ſaith farther; That in this Court the Kings of this Realm have ſitten on the High Bench, and the Judges of that Court on the Lower Bench, at his Feet; but Judicature belongeth only to the Judges of that Court, and in his Preſence they anſwer all Motions.

Ph. I cannot believe that Sir *Edward Coke*, how much ſoever he deſired to advance the Authority of himſelf, and other Juſtices of the Common Law, could mean that the King in the King's Bench ſate as a Spectator only, and might not have anſwered all Motions which his Judges anſwered, if he had ſeen Cauſe for it: for he knew that the King was ſupreme Judge then in all Cauſes Temporal, and is now in all Cauſes both Temporal and Eccleſiaſtical; and that there is an exceeding great Penalty ordained by the Laws for them that ſhall deny it. But Sir *Edward Coke*, as he had (you ſee) in many Places before, hath put a Fallacy upon himſelf, by not diſtinguiſhing between committing and transferring. He that transferreth his Power, hath deprived himſelf of it, but he that committeth it to another to be exerciſed in his Name, and under him, is ſtill in the Poſſeſſion of the ſame Power. And therefore if a Man render himſelf, that is to ſay, appealeth to the King from any Judge whatſoever, the King may receive his Appeal; and it ſhall be effectual.

La. Beſides theſe two Courts, the King's Bench for Pleas of the Crown, and the Court of Common Pleas for Cauſes Civil, according to the Common Law of *England*, there is another Court of Juſtice, that hath Juriſdiction in Cauſes both Civil and Criminal, and is as ancient a Court at leaſt as the Court of Common Pleas, and this is the Court of the Lord Admiral; but the Proceedings therein are according to the Laws of the *Roman* Empire, and the Cauſes to be determined there are ſuch as ariſe upon the marine Sea: for ſo it is ordained by divers Statutes, and confirmed by many Precedents.

Ph. As for the Statutes, they are always Law, and Reaſon alſo; for they are made by the Aſſent of all the Kingdom; but Precedents are Judgments one contrary to another; I mean divers Men, in divers Ages, upon the ſame Caſe give divers Judgments. Therefore I will aſk your Opinion once more concerning any Judgments beſides thoſe of the King, as to their Validity in Law. But what is the Difference between the Proceedings of the Court of Admiralty and the Court of Common Law?

La. One is, that the Court of Admiralty proceedeth by two Witneſſes, without any either Grand Jury to indict, or Petty to convict, and the Judge giveth Sentence according to the Laws Imperial, which of old time were in Force in all this Part of *Europe*, and now are Laws, not by the Will of any other Emperor or foreign Power, but by the Will of the Kings of *England*, that have given them Force in their own Dominions; the Reaſon whereof ſeems to be, that the Cauſes that ariſe at Sea are often between us, and the People of other Nations, ſuch as are governed for the moſt part by the ſelf-ſame Laws Imperial.

Ph. How can it preciſely enough be determined at Sea, eſpecially near the Mouth of a very great River, whether it be upon the Sea, or within the Land? for the Rivers alſo are, as well as their Banks, within, or a part of one Country or other.

La. Truly the Queſtion is difficult, and there have been many Suits about it, wherein the Queſtion has been, whoſe Juriſdiction it is in.

Ph. Nor do I ſee how it can be decided, but by the King himſelf, in caſe it be not declared in the Lord Admiral's Letters Patents.

La. But though there be in the Letters Patents a Power given to hold Plea in ſome certain Caſes; to any of the Statutes concerning the Admiralty the Juſtices of the Common Law may ſend a Prohibition to that Court, to proceed in the Plea, though it be with a *non-obſtante* of any Statute.

Ph. Methinks that That ſhould be againſt the Right of the Crown, which cannot be taken from it by any Subject: for that Argument of Sir *Edward Coke*'s, that the King has given away all his judicial Power, is worth nothing; becauſe (as I have ſaid before) he cannot give away the eſſential Rights of his Crown, and becauſe by a *non-obſtante* he declares he is not deceived in his Grant.

La. But you may ſee by the Precedents alledged by Sir *Edward Coke*, the contrary has been perpetually practiſed.

Ph. I ſee not that perpetually; for who can tell, but there may have been given other Judgments in ſuch Caſes, which have either been not preſerved in the Records, or elſe by Sir *Edward Coke* (becauſe they were againſt his Opinion) not alledged: for this is poſſible, though you will not grant it to be very likely; therefore I inſiſt only upon this, that no Record of a Judgment is a Law, ſave only to the Party pleading, until he can by Law reverſe the former Judgment. And as to the Proceeding without Juries, by two ſufficient Witneſſes, I do not ſee what Harm can proceed from it to the Commonwealth, nor conſequently any juſt Quarrel that the Juſtice of the Common Law can have againſt their Proceedings in the Admiralty: for the Proof of a Fact in both Courts lieth merely on the Witneſſes, and the Difference is no more, but that in the Imperial Law, the Judge of the Court judgeth of the Teſtimony of the Witneſſes, and the Jury doth it in a Court of Common Law. Beſides, if a Court of Common Law ſhould chance to incroach upon the Juriſdiction of the Admiral, may he not ſend a Prohibition to the Court of Common Law to forbid their Proceeding? I pray you tell me what Reaſon there is for the one, more than for the other?

La. I know none but long Cuſtom; for I think it was never done.

Ph. The higheſt ordinary Court in *England* is the Court of Chancery, wherein the Lord Chancellor, or otherwiſe Keeper of the Great Seal, is the only Judge. This Court is very ancient, as appears by Sir *Edward Coke*, 4 *Inſt.* p. 87. where he nameth the Chancellors of King *Edgar*, King *Etheldred*, King *Edmund*, and King *Edward* the Confeſſor. His Office is given to him without Letters Patents, by the King's Delivery to him of the Great Seal of *England*; and whoſoever hath the keeping of the Great Seal of *England* hath the ſame, and the whole Juriſdiction that the Lord Chancellor ever had, by the Statute of 5 *Eliz. c.* 18. wherein it is declared, that ſuch is, and always has been the Common Law. And Sir *Edward Coke* ſays, he has his Name of Chancellor from the higheſt Point of his Juriſdiction; *viz.* a *Cancellando*; that is, from cancelling the King's Letters Patents, by drawing Strokes through it like a Lattice.

Ph. Very pretty. It is well enough known that *Cancellarius* was a great Officer under the *Roman* Empire, whereof this Iſland was once a Member, and that the Office came into this Kingdom, either with, or in Imitation of the *Roman* Government. Alſo it was long after the Time of the Twelve *Cæſars*, that this Officer was created in the State of *Rome*. For till after *Septimius Severus* his Time, the Emperors did diligently enough take Cognizance of all Cauſes and Complaints for Judgments given in the Courts of the Prætors, which were in *Rome* the ſame that the Judges of the Common Law are here; but by the continual Civil Wars in After-times, for the chuſing of Emperors, that Diligence by little and little ceaſed; and afterwards (as I have read in a very good Author of the *Roman* Civil Law) the Number of Complaints being much increaſed, and being more than the Emperor could diſpatch, he appointed an Officer as his Clerk, to receive all ſuch Petitions; and that this Clerk cauſed a Partition to be made in a Room convenient, in which Partition-Wall, at the Height of a Man's Reach, he placed at convenient Diſtances certain Bars; ſo that when a Suitor came to deliver his Petition to the Clerk, who was ſometimes abſent, he had no more to do, but to throw in his Petition between thoſe Bars, which in *Latin* are called properly *Cancelli*; not that any certain Form of thoſe Bars, or any Bars at all were neceſſary; for they might have been thrown over, though the whole Space had been left open; but becauſe they were *Cancelli*, the Clerk Attendant, and keeping his Office there, was called *Cancellarius:* And any Court Bar may properly enough be called *Cancelli*, which does not ſignify a Lattice; for that is but a mere Conjecture, grounded upon no Hiſtory nor Grammar, but taken up at firſt (as is likely) by ſomebody that could find no other Word in the Dictionary for a Lattice but *Cancelli*. The Office of this Chancellor was at firſt but to breviate the Matter of the Petitions, for the eaſing of the Emperor, but Complaints increaſing daily, they were too many, conſidering other Buſineſſes more neceſſary for the Emperor to determine, and this cauſed the Emperor to commit the Determination of them to the Chancellor again; what Reaſon doth Sir *Edward Coke* alledge to prove, that the higheſt Point of the Chancellor's Juriſdiction is to cancel his Maſter's Letters Patents, after they were ſealed with his Maſter's Seal; unleſs he hold Plea concerning the Validity of them, or of his Maſter's Meaning in them, or of the ſurreptitious getting of them, or of the abuſing of them, which are all Cauſes of Equity? Alſo, ſeeing the Chancellor hath his Office only by the Delivery of the Great Seal, without any Inſtruction, or Limitation of the Proceſs in his Court to be uſed; it is manifeſt, that in all Cauſes whereof he has the hearing, he may proceed by ſuch manner of hearing, and examining of Witneſſes (with Jury or without Jury) as he ſhall think fitteſt for the

Exactneſs, Expedition and Equity of the Decrees. And therefore, if he think the Cuſtom of proceeding by Jury, according to the Cuſtom of *England* in Courts of Common Law, tend more to Equity, (which is the Scope of all the Judges in the World, or ought to be) he ought to uſe that Method, or if he think better of another Proceeding, he may uſe it, if it be not forbidden by a Statute.

La. As for this Reaſoning of yours, I think it well enough; but there ought to be had alſo a reverend Reſpect to Cuſtoms not unreaſonable; and therefore, I think, Sir *Edward Coke* ſays not amiſs; that in ſuch Caſes, where the Chancellor will proceed by the Rule of the Common Law, he ought to deliver the Record in the King's Bench; and alſo it is neceſſary for the Lord Chancellor to take Care of not exceeding as it is limited by Statutes.

Ph. What are the Statutes by which his Juriſdiction is limited? I know that by the 27 *Eliz. c.* 8. he cannot reverſe a Judgment given in the King's Bench for Debt, Detinue, *&c.* Nor before the Statute could he ever by Virtue of his Office, reverſe a Judgment in Pleas of the Crown, given by the King's Bench, that hath the Cognizance of ſuch Pleas, nor need he; for the Judges themſelves, when they think there is Need to relieve a Man oppreſs'd by ill Witneſſes, or Power of great Men prevailing on the Jury, or by Error of the Jury, though it be in Caſe of Felony, may ſtay the Execution and inform the King, who will in Equity relieve him. As to the Regard we ought to have to Cuſtom, we will conſider of it afterward.

La. Firſt in a Parliament holden the 13th of *Richard* II. the Commons petitioned the King, that neither the Chancellor, nor other Chancellor, do make any Order againſt the Common Law, nor that any Judgment be given without due Proceſs of Law.

Ph. This is no unreaſonable Petition; for the Common Law is nothing elſe but Equity: And by this Statute it appears, that the Chancellors, before that Statute, made bolder with the Courts of Common Law, than they did afterward; but it does not appear that Common Law in this Statute ſignifies any thing elſe, but generally the Law Temporal of the Realm; nor was this Statute ever printed, that ſuch as I might take notice of it; but whether it be a Statute or not, I know not, till you tell me what the Parliament anſwered to this Petition.

La. The King's Anſwer was, the Wages heretofore ſhall ſtand, ſo as the King's Royalty be ſaved.

Ph. This is flatly againſt Sir *Edward Coke*, concerning the Chancery.

La. In another Parliament, 17 *Rich.* II. it is enacted, at the Petition of the Commons, That foraſmuch as People were compelled to come before the King's Council, or in Chancery, by Writs grounded upon untrue Suggeſtions, that the Chancellor for the Time being, preſently after ſuch Suggeſtions, be duly found, and proved untrue, ſhall have Power to ordain and award Damages, according to his Diſcretion, to him which is ſo travelled unduly, as is aforeſaid.

Ph. By this Statute it appears, that when a Complaint is made in Chancery upon undue Suggeſtions, that the Chancellor ſhall have the Examination of the ſaid Suggeſtions, and as he may avoid Damages when the Suggeſtions are untrue, ſo he may alſo proceed by Proceſs to the determining of the Cauſe, whether it be real or perſonal, ſo it be not criminal.

La. Alſo the Commons petitioned in a Parliament of 2 *Hen.* IV. not printed; That no Writs, nor Privy-Seals, be ſued out of Chancery, Exchequer, or other Places, to any Man to appear at a Day, upon a Pain, either before the King and his Council, or in any other Place, contrary to the ordinary Courſe of Common Law.

Ph. What Anſwer was given to this Petition by the King?

La. That ſuch Writs ſhould not be granted without Neceſſity.

Ph. Here again you ſee the King may deny, or grant any Petitions in Parliament, either as he thinks it neceſſary, as in this Place, or as he thinks it prejudicial, or not prejudicial to his Royalty, as in the Anſwer of the former Petition, which is a ſufficient Proof, that no part of his legiſlative Power, or any other eſſential part of Royalty, can be taken from him by a Statute. Now ſeeing it is granted, that Equity is the ſame thing with the Law of Reaſon, and ſeeing Sir *Edward Coke*, 1 *Inſt.* *Sect.* 21. defines Equity to be a certain Reaſon comprehended in no Writing, but conſiſting only in right Reaſon, which interpreteth and amendeth the written Law; I would fain know to what End there ſhould be any other Court of Equity at all, either before the Chanceller or any other Perſon, beſides the Judges of the Civil, or Common Pleas? Nay, I am ſure you can alledge none but this, that there was a Neceſſity of a higher Court of Equity than the Courts of Common Law, to remedy the Errors in Judgment given by the Juſtices of inferior Courts; and the Errors in Chancery were irrevocable, except by Parliament, or by ſpecial Commiſſion appointed thereunto by the King.

La. But Sir *Edward Coke* ſays, that ſeeing Matters of Fact by the Common Law are tryable by a Jury of twelve Men, this Court ſhould not draw the Matter *ad aliud Examen*; *i. e.* to another kind of Examination, *viz.* by Depoſition of Witneſſes, which ſhould be but Evidence to a Jury.

Ph. Why to the Depoſition of Witneſſes, any more or leſs, than to Evidence to the Lord Chancellor? 'Tis not therefore another kind of Examination; nor is a Jury more capable of duly examining Witneſſes than a Lord Chancellor. Beſides, ſeeing all Courts are bound to judge according to Equity, and that all Judges, in a Caſe of Equity, may ſometimes be deceived, what Harm is there to any Man, or to the State, if there be a Subordination of Judges in Equity, as well as of Judges in Common Law? Seeing it is provided by an Act of Parliament to avoid Vexation, that *Subpœnas* ſhall not be granted, till Surety be found to ſatisfy the Party ſo grieved and vexed for his Damages and Expences, if ſo be the Matter may not be made good which is contained in the Bill.

La. There is another Statute of 31 *Hen.* VI. *cap.* 2. wherein there is a Proviſo cited by Sir *Edward Coke* in theſe Words: "Provided, that no Matter determinable by the Laws of the Realm, ſhall be by the ſaid Act determined in other Form, than after the Courſe of the ſame Law in the King's Courts, having the Determination of the ſame Law.

Ph. This Law was made but for ſeven Years, and never continued by any other Parliament, and the Motive of this Law was the great Riots, Extortions, Oppreſſions, *&c.* uſed during the Time of the Inſurrection of *John Cade*, and the Indictments and Condemnations wrongfully had by this uſurped Authority; and thereupon the Parliament ordained, that for ſeven Years following no Man ſhould diſobey any of the King's Writs under the Great Seal, or ſhould refuſe to appear upon Proclamation before the King's Council, or in the Chancery, to anſwer to Riots, Extortions, *&c.* For the firſt Time he ſhould loſe, *&c.* Wherein there is nothing at all concerning the Juriſdiction of the Chancery, or any other Court, but an extraordinary Power given to the Chancery, and to the King's Privy Council, to determine of thoſe Crimes which were not before that Time triable, but only by the King's Bench, or ſpecial Commiſſion: For the Act was made expreſly for the Puniſhment of a great Multitude of Crimes committed by thoſe that had acted by the ſaid *Cade*'s Authority; to which Act the Proviſo was added which is here mentioned, that the Proceedings in thoſe Courts of Chancery, and of the King's Council, ſhould be ſuch as ſhould be uſed in the Courts, to which the ſaid Courts, before this Act was made, do belong. That is to ſay, ſuch Cauſes as were criminal, ſhould be after the Order of the King's Bench, and ſuch Cauſes as were not criminal, but only againſt Equity, ſhould be tried after the manner of the Chancery, or in ſome Caſes according to the Proceedings in the Exchequer. I wonder why Sir *Edward Coke* ſhould cite a Statute (as this is) above two hundred Years before expired, and other two Petitions; as if they were Statutes, when they were not paſſed by the King; unleſs he did it on purpoſe to diminiſh (as he endeavours to do throughout his Inſtitutes) the King's Authority, or to inſinuate his own Opinions among the People for the Law of the Land: For that alſo he endeavours by inſerting

Latin Sentences, both in his Text and in the Margin, as if they were Principles of the Law of Reaſon, without any Authority of ancient Lawyers, or any Certainty of Reaſon in themſelves, to make Men believe they are the very Grounds of the Law of *England*. Now as to the Authority you aſcribe to Cuſtom, I deny that any Cuſtom of its own Nature, can amount to the Authority of a Law: For if the Cuſtom be unreaſonable, you muſt, with all other Lawyers, confeſs that it is no Law, but ought to be aboliſhed; and if the Cuſtom be reaſonable, it is not the Cuſtom, but the Equity that makes it Law. For what need is there to make Reaſon Law by any Cuſtom, how long ſoever, when the Law of Reaſon is eternal? Beſides, you cannot find in any Statute (though *Lex & Conſuetudo* be often mentioned as Things to be followed by the Judges in their Judgments) that *Conſuetudines*, that is to ſay, Cuſtoms or Uſages, did imply any long Continuance of former Time; but that it ſignified ſuch Uſe, and Cuſtom of Proceeding, as was then immediately in being before the making of ſuch Statute. Nor ſhall you find in any Statute the Word Common Law, which may not be there well interpreted for any of the Laws of *England* temporal; for it is not the Singularity of Proceſs uſed in any Court, that can diſtinguiſh it ſo as to make it a different Law from the Law of the whole Nation.

La. If all Courts were (as you think) Courts of Equity, would it not be incommodious to the Commonwealth?

Ph. I think not; unleſs perhaps you may ſay, that ſeeing the Judges, whether they have many or few Cauſes to be heard before them, have but the ſame Wages from the King, they may be too much inclined to put off the Cauſes they uſe to hear (for the eaſing of themſelves) to ſome other Court; to the Delay of Juſtice, and Damage of the Parties ſuing.

La. You are very much deceived in that; for on the contrary the Contention between the Courts for Juriſdiction, is of who ſhall have moſt Cauſes brought before them.

Ph. I cry you Mercy, I ſmelt not that.

La. Seeing alſo all Judges ought to give their Sentence according to Equity; if it ſhould chance that a written Law ſhould be againſt the Law of Reaſon, which is Equity, I cannot imagine in that Caſe how any Judgment can be righteous.

Ph. It cannot be that a written Law ſhould be againſt Reaſon: For nothing is more reaſonable than that every Man ſhould obey the Law, which he hath himſelf aſſented to; but that is not always the Law which is ſignified by *Grammatical* Conſtruction of the Letter, but that which the Legiſlator thereby intended ſhould be in force; which Intention, I confeſs, is a very hard Matter many times to pick out of the Words of the Statute, and requires great Ability of Underſtanding, and greater Meditations, and Conſiderations of ſuch Conjuncture of Occaſions, and Incommodities, as needed a new Law for a Remedy; for there is ſcarce any thing ſo clearly written, that when the Cauſe thereof is forgotten, may not be wreſted by an ignorant Grammarian, or a cavilling Logician, to the Injury, Oppreſſion, or perhaps Deſtruction of an honeſt Man. And for this Reaſon, the Judges deſerve that Honour and Profit they enjoy; ſince the Determination of what particular Cauſes every particular Court ſhould have Cognizance of, is a Thing not yet ſufficiently explained, and is in itſelf ſo difficult, as that the Sages of the Law themſelves (the Reaſon Sir *Edward Coke* will leave to Law itſelf) are not agreed upon it; how is it poſſible for a Man that is no profeſſed, or no profound Lawyer, to take Notice in what Court he may lawfully begin his Suit, or give Counſel in it to his Client?

La. I confeſs that no Man can be bound to take Notice of the Juriſdiction of Courts, till all the Courts be agreed upon it amongſt themſelves; but what Rule to give Judgment by a Judge can have, ſo as never to contradict the Law written, nor diſpleaſe his Legiſlator, I underſtand not.

Ph. I think he may avoid both, if he take care by his Sentence, that he neither puniſh an innocent Man, nor deprive him of his Damages due from one that maliciouſly ſued him without reaſonable Cauſe, which to the moſt of rational Men, and unbiaſſed, is not, in my Opinion, very difficult. And though a Judge ſhould (as all Men may do) err in his Judgment, yet there is always ſuch Power in the Laws of *England*, as may content the Parties, either in the Chancery, or by Commiſſioners of their own chuſing, authoriſed by the King; for every Man is bound to acquieſce in the Sentence of the Judges he chuſeth.

La. In what Caſes can the true Conſtruction of the Letter be contrary to the Meaning of the Law-maker?

Ph. Very many, whereof Sir *Edw. Coke* nameth three, Fraud, Accident, and Breach of Confidence; but there be many more; for there are a very great many reaſonable Exceptions almoſt to every general Rule, which the Makers of the Rule could not foreſee; and very many Words in every Statute, eſpecially long ones, that are, as to *Grammar*, of ambiguous Signification, and yet to them that know well, to what end the Statute was made, perſpicuous enough; and many Connections of doubtful Reference, which by a *Grammarian* may be cavill'd at, though the Intention of the Law-maker be never ſo perſpicuous. And theſe are the Difficulties which the Judges ought to maſter, and can do it, in reſpect of their Ability for which they are choſen, as well as can be hoped for; and yet there are other Men can do the ſame, or elſe the Judges Places could not be from time to time ſupplied. The Biſhops commonly are the moſt able and rational Men, and obliged by their Profeſſion to ſtudy Equity, becauſe it is the Law of God, and are therefore capable of being Judges in a Court of Equity. They are the Men that teach the People what is Sin; that is to ſay, they are the Doctors in Caſes of Conſcience. What Reaſon then can you ſhew me, why it is unfit and hurtful to the Commonwealth, that a Biſhop ſhould be a Chancellor, as they were moſt often before the Time of *Henry* VIII. and ſince that Time once in the Reign of King *James*?

La. But Sir *Edw.* ſays, that ſoon after that a Chancellor was made, which was no Profeſſor of the Law, he finds in the Rolls of the Parliament a grievous Complaint by the whole Body of the Realm, and a Petition that the moſt wiſe and able Men within the Realm might be choſen Chancellors.

Ph. That Petition was reaſonable, but it does not ſay which are abler Men, the Judges of the Common Law, or the Biſhops.

La. That is not the great Queſtion as to the Ability of a Judge; both of one, and the other, there are able Men in their own Way; but when a Judge of Equity has need, almoſt in every Caſe, to conſider as well the Statute-Law, as the Law of Reaſon, he cannot perform his Office perfectly, unleſs he be alſo ready in the Statutes.

Ph. I ſee no great Need he has to be ready in the Statutes; in the hearing of a Cauſe do the Judges of the Common Law inform the Counſel at the Bar what the Statute is, or the Counſel the Judges?

La. The Counſel inform the Judges.

Ph. Why may they not as well inform the Chancellor? Unleſs you will ſay, that a Biſhop underſtands not as well as a Lawyer what is Senſe, when he hears it read in *Engliſh*. No; no; both the one, and the other, are able enough, but to be able enough is not enough; when not the Difficulty of the Caſe only, but alſo the Paſſion of the Judge is to be conquered. I forgot to tell you of the Statute of the 36 *Edw.* 3. *cap.* 9. That if any Perſon think himſelf grieved contrary to any of the Articles above written, or others contained in divers Statutes, will come to the Chancery, or any for him, and thereof make his Complaint, he ſhall preſently there have Remedy by force of the ſaid Articles, and Statutes, without elſewhere purſuing to have Remedy. By the Words of this Statute it is very apparent in my Opinion, that the Chancery may hold Plea upon the Complaint of the Party grieved, in any Caſe tryable at the Common Law, becauſe the Party ſhall have preſent Remedy in that Court, by force of this Act, without purſuing for Remedy elſewhere.

La. Yes; but Sir *Edw. Coke* anſwers this Objection, 4 *Inſt.* p. 82. in this Manner. Theſe Words, ſays he, *He ſhall have Remedy*, ſignify no more but that he ſhall have preſently there a remedial Writ, grounded upon thoſe Statutes, to give him Remedy at the Common Law.

Ph. Very like Sir *Edw. Coke* thought, as ſoon as the Party had his Writ, he had his Remedy, though he kept the Writ in his Pocket, without purſuing his Complaint elſewhere; or elſe he thought, that the Common Bench was not elſewhere than in the Chancery.

La. Then there is the Court of——

Ph. Let us ſtop here; for this which you have ſaid ſatisfies me, that ſeek no more than to diſtinguiſh between Juſtice and Equity; and from it I conclude, that Juſtice fulfils the Law, and Equity interprets the Law, and amends the Judgments given upon the ſame Law: Wherein I depart not much from the Definition of Equity, cited in Sir *Edward Coke*, 1 *Inſt. Sect.* 21. *viz.* Equity is a certain perfect Reaſon that interpreteth and amendeth the Law written; though I conſtrue it a little otherwiſe than he would have done; for no one can mend a Law but he that can make it; and therefore I ſay not it amends the Law, but the Judgments only when they are erroneous. And now let us conſider of Crimes in particular, (the Pleas whereof are commonly called the Pleas of the Crown) and of the Puniſhments belonging to them; and firſt of the higheſt Crime of all, which is High Treaſon. Tell me what is High Treaſon.

Of CRIMES *Capital.*

La. THE firſt Statute that declareth what is High Treaſon, is the Statute of 25 *Edw.* 3. in theſe Words: *Whereas divers Opinions have been before this Time in what Caſe Treaſon ſhall be ſaid, and in what not; the King, at the Requeſt of the Lords, and of the Commons, hath made Declaration in the Manner as hereafter follows; that is to ſay, When a Man doth compaſs or imagine the Death of our Lord the King, of our Lady the Queen, or of their eldeſt Son and Heir; or if a Man doth violate the King's Companion, or the King's eldeſt Daughter unmarried, or the Wife of the King's eldeſt Son and Heir; or if a Man do levy War againſt our Lord the King in his Realm, or be adherent to the King's Enemies in his Realm, giving to them Aid and Comfort in the Realm, or elſewhere, and thereof be provably attainted by open Deed by People of their Condition. And if a Man counterfeit the King's Great or Privy-Seal, or his Money: And if a Man bring falſe Money into this Realm counterfeit to the Money of* England, *as the Money called* Luſhburgh, *or other like to the ſaid Money of* England, *knowing the Money to be falſe, to merchandize, and make Payment, in Deceit of our ſaid Lord the King, and of his People. And if a Man ſlay the Chancellor, Treaſurer, or the King's Juſtices of the one Bench or the other, Juſtices in Eyre, or Juſtices of Aſſizes, and all other Juſtices aſſigned to hear and determine, being in their Places and doing their Offices. And it is to be underſtood in the Caſes above rehearſed, that that ought to be adjudged Treaſon, which extends to our Royal Lord the King, and his Royal Majeſty, and of ſuch Treaſon the Forfeiture of the Eſcheats pertains to our Lord the King, as well the Lands and Tenements holden of others, as himſelf. And moreover there is another manner of Treaſon; that is to ſay, when a Servant ſlayeth his Maſter, or Wife her Huſband; or when a Man ſecular or religious ſlayeth his Prelate, to whom he oweth Faith and Obedience; and of ſuch Treaſon the Eſcheats ought to pertain to every Lord of his own Fee. And becauſe many other like Caſes of Treaſon may happen in Time to come, which a Man cannot think, nor declare at this preſent Time, it is accorded, that if any Caſe ſuppoſed Treaſon which is not above ſpecified, doth happen before any Juſtices, the Juſtices ſhall tarry without giving any Judgment of the Treaſon, till the Cauſe be ſhewed, and declared before the King and his Parliament, whether it ought to be adjudged Treaſon, or other Felony.*

Ph. I deſir'd to underſtand what Treaſon is, wherein no Enumeration of Facts can give me Satisfaction. Treaſon is a Crime of itſelf, *Malum in ſe*, and therefore a Crime at the Common Law, and High Treaſon the higheſt Crime at the Common Law that can be: and therefore not the Statute only, but Reaſon without a Statute makes it a Crime. And this appears by the Preamble, where it is intimated, that all Men, though of divers Opinions, did condemn it by the Name of Treaſon, though they knew not what Treaſon meant, but were forced to requeſt the King to determine it. That which I deſire to know is, how Treaſon might have been defined without the Statute, by a Man that has no other Faculty to make a Definition of it, than by mere natural Reaſon.

La. When none of the Lawyers have done it, you are not to expect that I ſhould undertake it on ſuch a ſudden.

Ph. You know that *Salus Populi* is *Suprema Lex*; that is to ſay, the Safety of the People is the higheſt Law; and that the Safety of the People of a Kingdom conſiſteth in the Safety of the King, and of the Strength neceſſary to defend his People, both againſt foreign Enemies and rebellious Subjects. And from this I infer, that to compaſs, that is, to deſign the Death of the then preſent King, was High Treaſon before the making of this Statute, as being a Deſigning of a Civil War, and the Deſtruction of the People. 2. That the Deſign to kill the King's Wife, or to violate her Chaſtity, as alſo to violate the Chaſtity of the King's Heir apparent, or of his eldeſt Daughter unmarried, as tending to the Deſtruction of the Certainty of the King's Iſſue, and by Conſequence by raiſing of Contentions about the Crown, and Deſtruction of the People in ſucceeding time by Civil War, was therefore High Treaſon before this Statute. 3. That to levy War againſt the King within the Realm, and aiding the King's Enemies, either within or without the Realm, are tending to the King's Deſtruction, or Diſheriſon, and was High Treaſon, before this Statute, by the Common Law. 4. That counterfeiting the principal Seals of the Kingdom, by which the King governeth his People, tendeth to the Confuſion of Government, and conſequently to the Deſtruction of the People, and was therefore Treaſon before the Statute. 5. If a Soldier deſign the killing of his General, or other Officer, in time of Battle, or a Captain hover doubtfully with his Troops, with Intention to gain the Favour of him that ſhall chance to get the Victory, it tendeth to the Deſtruction both of King and People, whether the King be preſent or abſent, and was therefore Treaſon before the Statute. 6. If any Man had impriſoned the King's Perſon, he had made him incapable of defending his People, and it was therefore High Treaſon before the Statute. 7. If any Man had, with Deſign to raiſe Rebellion againſt the King, written, or by Words adviſedly uttered, denied the King regnant to be his lawful King, he that wrote, preached, or ſpoke ſuch Words, living under the Protection of the King's Laws, it had been High Treaſon before the Statute, for the Reaſon aforeſaid. And perhaps there may be ſome other Caſes upon this Statute, which I cannot preſently think upon; but the killing of a Juſtice, or other Officer, as is determined by the Statute, is not otherwiſe High Treaſon, but by the Statute. And to diſtinguiſh that which is Treaſon by the Common Law, from all other inferior Crimes; we are to conſider, that if ſuch High Treaſon ſhould take Effect, it would deſtroy all Laws at once; and being done by a Subject, 'tis a Return to Hoſtility by Treachery; and conſequently, ſuch as are Traytors may by the Law of Reaſon be dealt withal, as ignoble and treacherous Enemies; but the greateſt of other Crimes, for the moſt part, are Breaches of one only, or at leaſt of very few Laws.

La. Whether this you ſay be true, or falſe, the Law is now unqueſtionable by a Statute made in 1 and 2 of Queen *Mary*, whereby there is nothing to be eſteem'd Treaſon, beſides thoſe few Offences ſpecially mentioned in the Act of 25 *Ed.* 3.

Ph. Amongſt theſe great Crimes, the greateſt is that which is committed by one that has been truſted, and loved by him whoſe Death he ſo deſigneth: for a Man cannot well take heed of thoſe whom he thinks he hath obliged, whereas an open Enemy gives a Man Warning before he acteth. And this it is for which the Statute hath declared, that it is another kind of Treaſon when a Servant killeth his Maſter or Miſtreſs, or a Wife killeth her Huſband, or a Clerk killeth his Prelate; and I ſhould think it Petty Treaſon alſo, though it be not within the Words of the Statute; when a Tenant in Fee, that holdeth by Homage and Fealty, ſhall kill the Lord of his Fee; for Fealty is an Oath of Allegiance to the Lord of the Fee; ſaving he may not keep his Oath in any thing ſworn to, if it be againſt the King. For Homage, as it is expreſſed in a Statute of 17 *Edward* II. is the greateſt Submiſſion that is poſſible to be made to one Man by another; for the Tenant ſhall hold his Hands together between the Hands of his Landlord, and ſhall ſay thus: I become your Man from this Day forth for Life, for Member and for worldly Honour, and ſhall owe that my Faith for the Lands that I ſhall hold of you, ſaving the Faith that I owe unto our Sovereign Lord the King, and to many other Lords. Which Homage, if made to the King, is equivalent to a Promiſe of ſimple Obedience; and if made to another Lord, there is nothing excepted but the Allegiance to the King; and that which is called Fealty, is but the ſame confirmed by an Oath.

La. But Sir *Edward Coke*, 4 *Inſt.* p. 11. denies that a Traitor is in legal Underſtanding the King's Enemy; For Enemies, ſaith he, be thoſe that be out of the Allegiance of the King; and his Reaſon is, becauſe if a Subject join with a foreign Enemy, and come into *England* with him, and be taken Priſoner here, he ſhall not be ranſomed, or proceeded with as an Enemy ſhall, but he ſhall be taken as a Traitor to the King. Whereas an Enemy coming in open Hoſtility, and taken, ſhall either be executed by martial Law, or ranſomed; for he cannot be indicted of Treaſon, for that he never was in the Protection and Ligeance of the King, and the Indictment of the Treaſon ſaith, *Contra Ligeantiam ſuam debitam.*

Ph. This is not an Argument worthy of the meaneſt Lawyer. Did Sir *Edward Coke* think it is poſſible for a King lawfully to kill a Man, by what Death ſoever, without an Indictment, when it is manifeſtly proved he was his open Enemy? Indictment is a Form of Accuſation peculiar to *England*, by the Command of ſome King of *England*, and retained ſtill, and therefore a Law to this Country of *England*; but if it were not lawful to put a Man to Death, otherwiſe than by an Indictment, no Enemy could be put to Death at all in other Nations; becauſe they proceed not, as we do, by Indictment. Again, when an open Enemy is taken, and put to death by Judgment of martial Law, it is not the Law of the General or Council of War, but the Law of the King contained in their Commiſſions; ſuch as from Time to Time the Kings have thought fit, in whoſe Will it always reſteth, whether an open Enemy, when he is taken, ſhall be put to death, or no, and by what Death; and whether he ſhall be ranſomed, or no, and at what Price? Then for the Nature of Treaſon by Rebellion; is it not a Return to Hoſtility? What elſe does Rebellion ſignify? *William* the Conqueror ſubdued this Kingdom; ſome he killed, ſome upon Promiſe of future Obedience he took to Mercy, and they became his Subjects, and ſwore Allegiance to him; if therefore they renew the War againſt him, are they not again open Enemies; or if any of them, lurking under his Laws, ſeek Occaſion thereby to kill him, ſecretly, and come to be known, may he not be proceeded againſt as an Enemy, who though he had not committed what he deſigned, yet had certainly a hoſtile Deſign? Did not the long Parliament declare all thoſe for Enemies to the State that oppoſed their Proceedings againſt the late King? But Sir *Edward Coke* does ſeldom well diſtinguiſh when there are two divers Names for one and the ſame Thing; though one contain the other, he makes them always different, as if it could not be that one and the ſame Man ſhould be both an Enemy and a Traitor. But now let us come to his Comment upon this Statute: The Statute ſays (as it is printed in *Engliſh*) when a Man doth compaſs or imagine the Death of our Lord the King, *&c.* What is the Meaning of the Word compaſſing or imagining?

La. On this Place Sir *Edward Coke* ſays, that before the making of this Act, *Voluntas reputabatur pro Facto*, the Will was taken for the Deed. And ſo ſaith *Bracton*, *Spectatur voluntas, & non exitus*; *& nihil intereſt utrum quis occidat, aut cauſam præbeat*; that is to ſay, the Cauſe of the killing. Now, Sir *Edward Coke* ſays, this was the Law before the Statute; and that to be a Cauſe of the killing, is to declare the ſame by ſome open Deed tending to the Execution of his Intent, or which might be Cauſe of Death.

Ph. Is there any *Engliſhman* can underſtand, that to cauſe the Death of a Man, and to declare the ſame, is all one Thing? And if this were ſo, and that ſuch was the Common Law before the Statute, by what Words in the Statute is it taken away?

La. It is not taken away, but the Manner how it muſt be proved is thus determin'd, that it muſt be proved by ſome open Deed, as providing of Weapons, Powder, Poiſon, aſſaying of Armour, ſending of Letters, *&c.*

Ph. But what is the Crime itſelf which this Statute maketh Treaſon? For, as I underſtand the Words, To compaſs, or imagine the King's Death, *&c.* the compaſſing (as it is in the *Engliſh)* is the only Thing which is made High Treaſon; ſo that not only the killing, but the Deſign is made High Treaſon; or, as it is in the *French* Record, *Fait Compaſſer*; that is to ſay, the cauſing of others to compaſs, or deſign the King's Death, is High Treaſon; and the Words, *par overt fait*, are not added as a Specification of any Treaſon, or other Crime, but only of the Proof that is required by the Law. Seeing then the Crime is the Deſign and Purpoſe to kill the King, or cauſe him to be killed, and lieth hidden in the Breaſt of him that is accuſed; what other Proof can there be had of it than Words ſpoken or written. And therefore if there be ſufficient Witneſs, that he by Words declared that he had ſuch a Deſign, there can be no Queſtion, but that he is comprehended within this Statute; Sir *Edward Coke* doth not deny, but that if he confeſs this Deſign, either by Word or Writing, he is within the Statute. As for that common Saying, that bare Words may make a Heretic but not a Traitor, which Sir *Edward Coke* on this Occaſion maketh uſe of, they are to little Purpoſe; ſeeing that this Statute maketh not the Words High Treaſon, but the Intention, whereof the Words are but a Teſtimony: and that common Saying is falſe as it is generally pronounced; for there were divers Statutes made afterwards, though now expired, which made bare Words to be Treaſon without any other Deed: As 1 *Eliz. cap.* 6. and 13 *Eliz. cap.* 1. If a Man ſhould publicly preach that the King were an Uſurper, or that the Right of the Crown belonged to any other than the King that reigned, there is no Doubt but it were Treaſon, not only within this Statute of *Edward* III. but alſo within the Statute of 1 *Edward* VI. *cap.* 12. which are both ſtill in force.

La. Not only ſo; but if a Subject ſhould counſel any other Man to kill the King, Queen, or Heir apparent to the Crown, it would at this Day be judged High Treaſon; and yet it is no more than bare Words. In the third Year of King *James*, *Henry Garnet*, a Jeſuit Prieſt, to whom ſome of the Gun-Powder Traitors had revealed their Deſign by way of Confeſſion, gave them Abſolution, without any Caution taken for their deſiſting from their Purpoſe, or other Proviſion againſt the Danger, was therefore condemned and executed as a Traitor, tho' ſuch Abſolution were nothing elſe but bare Words. Alſo I find in the Reports of Sir *John Davis*, Attorney-General for *Ireland*, that in the Time of King *Henry* VI. a Man was condemn'd of Treaſon, for ſaying the King was a natural Fool, and unfit to govern; but yet this Clauſe in the Statute of *Edward* III. *viz.* That the compaſſing there mentioned, ought to be proved by ſome *Overt Act*, was, by the Framers of the Statute, not without great Wiſdom and Providence, inſerted: For, as Sir *Edward Coke* very well obſerveth, when Witneſſes are examined concerning Words only, they never, or very rarely, agree preciſely about the Words they ſwear to.

Ph. I deny not but that it was wiſely enough done. But the Queſtion is not here of the Treaſon (which is either Fact or Deſign) but of the Proof, which, when it is doubtful, is to be judged by a Jury of twelve lawful Men: Now whether think you is it a better Proof of a Man's Intention to kill, that he declares the ſame with his own Mouth, ſo as it may be witneſſed, or that he provide Weapons, Powder, Poiſon, or aſſay Arms? If he utter his Deſign by Words, the Jury has no more to do than to conſider the Legality of the Witneſſes, the

Harmony of their Teſtimonies, or whether the Words were ſpoken adviſedly? For they might have been uttered in a Diſputation for Exerciſe only, or when he that ſpake them had not the uſe of Reaſon, nor perhaps any Deſign, or Wiſh at all towards the Execution of what he talked of: But how a Jury from providing, or buying of Armour, or buying of Gun-powder, or from any other Overt Act, not Treaſon in itſelf, can infer a Deſign of murdering the King, unleſs there appear ſome Words alſo, ſignifying to what end he made ſuch Proviſion, I cannot eaſily conceive. Therefore as the Jury on the whole Matter, Words and Deeds, ſhall ground their Judgment concerning Deſign, or not Deſign, ſo, in Reaſon, they ought to give Verdict. But to come to the Treaſon of counterfeiting the Great or Privy-Seal, ſeeing there are ſo many Ways for a cheating Fellow to uſe theſe Seals, to the couſening of the King and his People; why are not all ſuch Abuſes High Treaſon, as well as the making of a falſe Seal?

La. So they are: For Sir *Edw. Coke* produceth a Record of one that was drawn and hang'd for taking the Great Seal from an expired Patent, and faſtening it to a counterfeit Commiſſion to gather Money: But he approveth not the Judgment, becauſe it is the Judgment for Petty Treaſon; alſo becauſe the Jury did not find him guilty of the Offence laid in the Indictment, which was the counterfeiting of the Great Seal, but found the ſpecial Matter, for which the Offender was drawn and hang'd.

Ph. Seeing this Crime of taking the Great Seal from one Writing, and faſtening it to another, was not found High Treaſon by the Jury, nor could be found upon ſpecial Matter to be the other kind of Treaſon mentioned in the ſame Statute; what ground had either the Jury to find it Treaſon, or the Judge to pronounce Sentence upon it?

La. I cannot tell. Sir *Edw. Coke* ſeems to think it a falſe Record; for hereupon he ſaith, by way of Admonition to the Reader, that hereby it appeareth how dangerous it is to report a Caſe by the Ear.

Ph. True; but he does not make it apparent, that this Caſe was untruly reported, but on the contrary confeſſeth, that he had peruſed the ſame Record; and a Man may (if it may be done without Proof of the Falſity) make the ſame Objection to any Record whatſoever. For my Part, ſeeing this Crime produced the ſame Miſchief that ariſeth from Counterfeiting, I think it Reaſon to underſtand it as within the Statute: And for the Difference between the Puniſhments (which are both of them Capital) I think it is not worthy to be ſtood upon; ſeeing Death, which is, *Ultimum ſupplicium*, is a Satisfaction to the Law; as Sir *Edw. Coke* himſelf hath in another Place affirm'd. But let us now proceed to other Crimes.

La. Appendent to this is another Crime, called Miſpriſion of Treaſon; which is the concealing of it by any Man that knows it; and it is called Miſpriſion from the *French Meſpriſer*, which ſignifies to contemn, or undervalue; for it is no ſmall Crime in any Subject, ſo little to take to Heart a known Danger to the King's Perſon, and conſequently, to the whole Kingdom, as not to diſcover not only what he knows, but alſo what he ſuſpecteth of the ſame, that the Truth therefore may be examin'd. But for ſuch Diſcovery, though the Thing prove falſe, the Diſcoverer ſhall not, as I think, be taken for a falſe Accuſer; if for what he directly affirms, he produce a reaſonable Proof, and ſome Probability for his Suſpicion; for elſe the Concealment will ſeem juſtifiable by the Intereſt, which is to every Man allowed in the Preſervation of himſelf from Pain and Damage.

Ph. This I conſent to.

La. All other Crimes merely Temporal, are comprehended under Felony or Treſpaſs.

Ph. What is the meaning of the word Felony? Does it ſignify any thing that is in its own Nature a Crime, or that only which is made a Crime by ſome Statute? For I remember ſome Statutes that make it Felony to tranſport Horſes, and ſome other Things out of the Kingdom; which Tranſportation before ſuch Statutes made, and after the Repealing of the ſame, was no greater Crime than any other uſual Traffick of a Merchant.

La. Sir *Edw. Coke* derives the Word Felony from the Latin Word *Fel*, the Gall of a living Creature, and accordingly defines Felony to be an Act done *Animo Felleo*; that is to ſay, a bitter and cruel Act.

Ph. Etymologies are no Definitions, and yet when they are true, they give much Light towards the finding out of a Definition; but this of Sir *Edw. Coke*'s carries with it very little of Probability; for there be many things made Felony by the Statute Law, that proceed not from any Bitterneſs of Mind at all, and many that proceed from the contrary.

La. This is matter for a Critic, to be pickt out of the Knowledge of Hiſtory and Foreign Languages, and you may perhaps know more of it than I do.

Ph. All that I, or, I think, any other can ſay in this Matter, will amount to no more than a reaſonable Conjecture, inſufficient to ſuſtain any point of Controverſy in Law. The Word is not to be found in any of the old *Saxon* Laws, ſet forth by Mr. *Lambert*, nor in any Statute printed before that of *Magna Charta*; there it is found. Now *Magna Charta* was made in the Time of *Henry* III. Grand-Child to *Henry* II. Duke of *Anjou*, a *Frenchman* born, and bred in the Heart of *France*, whoſe Language might very well retain many Words of his Anceſtors the *German-Franks*, as ours doth of the *German-Saxons*; as alſo many Words of the Language of the *Gauls*, as the *Gauls* did retain many Words of the *Greek* Colony planted at *Marſeilles*. But certain it is the *French* Lawyers at this Day uſe the word Felon, juſt as our Lawyers uſe the ſame; whereas the common People of *France* uſe the Word *Filou* in the ſame Senſe; but *Filou* ſignifieth, not the Man that hath committed ſuch an Act, as they call Felony; but the Man that maketh it his Trade to maintain himſelf by the breaking and contemning of all Laws generally; and comprehendeth all thoſe unruly People called Cheaters, Cut-purſes, Picklocks, Catchcloaks, Coiners of falſe Money, Forgers, Thieves, Robbers, Murderers, and whoſoever make uſe of Iniquity on Land or Sea, as a Trade, or Living. The *Greeks* upon the Coaſt of *Aſia*, where *Homer* liv'd, were they that planted the Colony of *Marſeilles*; they had a Word that ſignified the ſame with Felon, which was φιλήτης, *Filetes*, and this *Filetes* of *Homer* ſignifies properly the ſame that a Felon ſignifies with us: And therefore *Homer* makes *Apollo* to call *Mercury* φιλήτην *Fileteen*, and ἄρχος φιλήτων; I inſiſt not upon the Truth of this Etymology; but it is certainly more rational than the *Animus Felleus* of Sir *Edw. Coke*. And for the Matter itſelf it is manifeſt enough, that which we now call Murder, Robbery, Theft, and other Practices of Felons, are the ſame that we call Felony, and Crimes in their own Nature without the help of Statute. Nor is it the manner of Puniſhment that diſtinguiſheth the Nature of one Crime from another, but the Mind of the Offender and the Miſchief he intendeth, conſidered together with the Circumſtances of Perſon, Time, and Place.

La. Of Felonies, the greateſt Crime is Murder.

Ph. And what is Murder?

La. Murder is the killing of a Man upon Malice forethought, as by a Weapon, or by Poiſon, or any way, if it be done upon antecedent Meditation; or thus, Murder is the killing of a Man in cold Blood.

Ph. I think there is a good Definition of Murder ſet down by Statute, 52 *Hen.* 3. c. 25. in theſe Words: Murder from henceforth ſhall not be judged before our Juſtices, where it is found Miſfortune only, but it ſhall take Place in ſuch as are ſlain by Felony. And Sir *Edward Coke* interpreting this Statute, 2 *Inſt.* p. 148. ſaith; That the Miſchief before this Statute was, that he that killed a Man by Miſfortune, as by doing any Act that was not againſt Law, and yet againſt his Intent, if the Death of a Man enſued, this was adjudged Murder. But I find no Proof that he alledgeth, nor find I any ſuch Law amongſt the Laws of the *Saxons*, ſet forth by Mr. *Lambert*. For the Word, it is (as Sir *Edward Coke* noteth) old *Saxon*, and amongſt them it ſignified no more than a Man ſlain in the Field, or other Place, the Author of his Death not known. And according hereunto, *Bracton*, who lived in the Time of *Magna Charta*, defineth it, fol. 134, thus; Murder is the ſecret killing of a Man, when none beſides the Killer and his Companions ſaw, or knew it; ſo that it was not known who did it, nor freſh Suit could be made after the Doer; therefore every ſuch Killing was called Murder before it could be known whether it could be by Felony, or not: for a Man may be found dead that kills himſelf, or was lawfully killed by another. This Name of Murder came to be the more horrid, when it was ſecretly done, for that it made every Man to conſider of their own Danger, and him that ſaw the dead Body to boggle at it, as a Horſe will do at a dead Horſe; and to prevent the ſame, they had Laws in force to amerce the Hundred where it was done, in a Sum defined by Law to be the Price of his Life: For in thoſe Days the Lives of all Sorts of Men were valued by Money, and the Value ſet down in their written Laws. And therefore Sir *Edward Coke* was miſtaken in that he thought that killing a Man by Miſfortune before the Statute of *Marlebridge* was adjudged Murder, and thoſe ſecret Murders were abominated by the People, for that they were liable to ſo great a pecuniary Puniſhment for ſuffering the Malefactor to eſcape. But this Grievance was by *Canutus*, when he reigned, ſoon eaſed: for he made a Law, that the Country, in this Caſe, ſhould not be charged, unleſs it were an *Engliſhman* that was ſo ſlain; but if he were a *Frenchman* (under which Name were comprehended all Foreigners, and eſpecially the *Normans)* though the Slayer eſcaped, the County was not to be amerced. And this Law, though it were very hard, and chargeable when an *Engliſhman* was ſo ſlain, for his Friend to prove he was an *Engliſhman*, and alſo unreaſonable to deny the Juſtice to a Stranger; yet was it not repealed till the 14th of King *Edward* III. By this you ſee, that Murder is diſtinguiſhed from Homicide by the Statute Laws, and not by any Common Law without the Statute; and that it is comprehended under the general Name of Felony.

La. And ſo alſo is Petit Treaſon, and I think ſo is High Treaſon alſo: for in the aboveſaid Statute in the 25th of *Edward* III. concerning Treaſons, there is this Clauſe: And becauſe that many other like Caſes of Treaſon may happen in Time to come, which a Man cannot think or declare at the preſent Time; it is accorded, that if any other Caſe, ſuppoſed Treaſon, which is not above ſpecified, doth happen before any the Juſtices, the Juſtices ſhall tarry without any going to Judgment of the Treaſon, till the Cauſe be ſhewed, and declared before the King and his Parliament, whether it be Treaſon, or other Felony; which thereby ſhews that the King and Parliament thought that Treaſon was one of the Sorts of Felony.

Ph. And ſo think I.

La. But Sir *Edward Coke* denies it to be ſo at this Day; for 1 *Inſt. Sect.* 745. at the Word Felony, he ſaith: That in ancient Time this Word Felony was of ſo large an Extent, as that it included High Treaſon——But afterwards it was reſolved, that in the King's Pardon, or Charter, this Word Felony ſhould extend only to common Felonies——And at this Day, under the Word Felony, by Law is included Petit Treaſon, Murder, Homicide, burning of Houſes, Burglary, Robbery, Rape, *&c.* Chance-medley, *ſe defendendo*, and *Petit Larceny.*

Ph. He ſays it was reſolved, but by whom?

La. By the Juſtices of Aſſize in the Time of *Hen.* IV. as it ſeems in the Margin.

Ph. Have Juſtices of Aſſize any Power by their Commiſſion to alter the Language of the Land, and the received Senſe of Words? Or in the Queſtion in what Caſe Felony ſhall be laid, is it referred to the Judges to determine; as in the Queſtion in what Caſe Treaſon ſhall be laid, it is referred by the Statute of *Edward* III. to the Parliament? I think not; and yet perhaps they may be obliged to diſallow a Pardon of Treaſon, when mentioning all Felonies it nameth not Treaſon, nor ſpecifies it by any Deſcription of the Fact.

La. Another kind of Homicide there is ſimply called ſo, or by the Name of Manſlaughter, and is not Murder; and that is, when a Man kills another Man upon ſudden Quarrel, during the Heat of Blood.

Ph. If two meeting in the Street chance to ſtrive who ſhall go neareſt to the Wall, and thereupon fighting, one of them kills the other, I believe verily he that firſt drew his Sword did it of Malice forethought, though not long forethought; but whether it be Felony or no, it may be doubted. It is true, that the Harm done is the ſame as if it had been done by Felony; but the Wickedneſs of the Intention was nothing near ſo great. And ſuppoſing it had been done by Felony, then 'tis manifeſt by the Statute of *Marlebridge*, that it was very Murder. And when a Man for a Word or a Trifle ſhall draw his Sword, and kill another Man, can any Man imagine that there was not ſome precedent Malice?

La. 'Tis very likely there was Malice, more or leſs, and therefore the Law hath ordained for it a Puniſhment equal to that of Murder, ſaving that the Offender ſhall have the Benefit of his Clergy.

Ph. The Benefit of Clergy comes in upon another Account, and importeth not any Extenuation of the Crime; for it is but a Relic of the old uſurped Papal Privilege, which is now by many Statutes ſo pared off, as to ſpread but to few Offences, and is become a legal kind of conveying Mercy, not only to the Clergy but alſo to the Laity.

La. The Work of a Judge you ſee is very difficult, and requires a Man that hath a Faculty of well diſtinguiſhing of Diſſimilitudes in ſuch Caſes as common Judgments think to be the ſame. A ſmall Circumſtance may make a great Alteration, wherefore a Man that cannot well diſcern, ought not to take upon him the Office of a Judge.

Ph. You ſay very well; for if Judges were to follow one another's Judgments in precedent Caſes, all the Juſtice in the World would at length depend upon the Sentence of a few learned, or unlearned, ignorant Men, and have nothing at all to do with the Study of Reaſon.

La. A third kind of Homicide is when a Man kills another, either by Misfortune, or in a neceſſary Defence of himſelf, or of the King, or of his Laws; for ſuch killing is neither Felony, nor Crime, ſaving (as Sir *Edward Coke* ſays, 4 *Inſt. p.* 56.) that if the Act that a Man is a-doing when he kills another Man be unlawful, then it is Murder. As if *A.* meaning to ſteal a Deer in the Park of *B.* ſhooteth at the Deer, and by the Glance of the Arrow killeth a Boy that is hidden in a Buſh; this is Murder, for that Act was unlawful; but if the Owner of the Park had done the like, ſhooting at his own Deer, it had been by Miſadventure, and no Felony.

Ph. This is not ſo diſtinguiſhed by any Statute, but is the Comment only of Sir *Edward Coke.* I believe not a Word of it. If a Boy be robbing an Apple-tree, and fall thence upon a Man that ſtands under it, and breaks his Neck, but by the ſame Chance ſaveth his own Life, Sir *Edward Coke*, it ſeems, will have him hanged for it, as if he had fallen of prepenſed Malice. All that can be called Crime in this Buſineſs is but a ſimple Treſpaſs, to the Damage perhaps of Sixpence or a Shilling. I confeſs the Treſpaſs was an Offence againſt the Law, but the falling was none, nor was it by the Treſpaſs but by the falling that the Man was ſlain; and as he ought to be quit of the killing, ſo he ought to make Reſtitution for the Treſpaſs. But I believe the Cauſe of Sir *Edward Coke*'s Miſtake was his not well underſtanding of *Bracton*, whom he cites in the Margin: For 1206 he ſaith thus: *Sed hic erit diſtinguendum, utrum quis dederit operam rei licitæ, vel illicitæ; ſi illicitæ, ut ſi lapidem projiciebat quis verſus locum per quem conſueverunt homines tranſitum facere, vel dum inſequitur equum, vel bovem, & aliquis ab equo, vel a bovo percuſſus fuerit, & hujuſmodi, hoc imputatur ei: i. e.* But here we are to diſtinguiſh, whether a Man be upon a lawful or unlawful Buſineſs; if an unlawful, as he that throws a Stone into a Place where Men uſe to paſs; or if he chaſe a Horſe, or an Ox, and thereby the Man be ſtricken by the Horſe, or the Ox, this ſhall be imputed to him. And it is moſt reaſonable; for the doing of ſuch an unlawful Act as is here meant, is a ſufficient Argument of a felonious Purpoſe, or at leaſt a Hope to kill ſomebody or other, and he cared not whom;

which is worſe than to deſign the Death of a certain Adverſary, which nevertheleſs is Murder. Alſo on the contrary, though the Buſineſs a Man is doing be lawful, and it chanceth ſometimes that a Man be ſlain thereby, yet may ſuch killing be Felony. For if a Carman drive his Cart through *Cheapſide* in a Throng of People, and thereby he kill a Man; though he bare him no Malice, yet becauſe he ſaw there was very great Danger, it may reaſonably be inferred, that he meant to adventure the killing of ſomebody or other, though not of him that was killed.

La. He is a Felon alſo that killeth himſelf voluntarily, and is called, not only by Common Lawyers, but alſo in divers Statute Laws, *Felo de ſe.*

Ph. And 'tis well ſo: For Names impoſed by Statutes are equivalent to Definitions; but I conceive not how any Man can bear *Animum felleum*, or ſo much Malice towards himſelf, as to hurt himſelf voluntarily, much leſs to kill himſelf; for naturally and neceſſarily, the Intention of every Man aimeth at ſomewhat which is good to himſelf, and tendeth to his Preſervation: And therefore, methinks, if he kill himſelf, it is to be preſumed that he is not *compos mentis*, but by ſome inward Torment, or Apprehenſion of ſomewhat worſe than Death, diſtracted.

La. Nay, unleſs he be *compos mentis*, he is not *Felo de ſe* (as Sir *Edward Coke* ſaith, 4 *Inſt. p.* 54.) and therefore he cannot be judged a *Felo de ſe*, unleſs it be firſt proved he was *compos mentis*.

Ph. How can that be proved of a Man dead; eſpecially if it cannot be proved by any Witneſs, that a little before his Death he ſpake as other Men uſed to do. This is a hard Place; and before you take it for Common Law it had need to be cleared.

La. I'll think on't. There's a Statute of 3 *Henry* VII. *c.* 14. which makes it Felony in any of the King's houſhold Servants, under the Degree of a Lord, to compaſs the Death of any of the King's Privy Council. The Words are theſe: That from henceforth the Steward, Treaſurer, and Comptroller of the King's Houſe for the Time being, or one of them, have full Authority and Power, to inquire by twelve ſtay'd Men, and diſcreet Perſons of the Chequer Roll of the King's honourable Houſhold, if any Servant, admitted be to his Servant ſworn, and his Name put into the Chequer Roll, whatſoever he be, ſerving in any Manner, Office, or Room, reputed, had, or taken under the State of a Lord, make any Confederacies, Compaſſings, Conſpiracies, or Imaginations, with any Perſon, to deſtroy or murder the King, or any Lord of this Realm, or any other Perſon ſworn of the King's Council, Steward, Treaſurer, or Comptroller of the King's Houſe: And if ſuch Miſdoers ſhall be found guilty by Confeſſion, or otherwiſe, that the ſaid Offence ſhall be judged Felony.

Ph. It appears by this Statute, that not only the compaſſing the Death (as you ſay) of a Privy-Counſellor, but alſo of any Lord of the Realm, is Felony; if it be done by any of the King's houſhold Servants that is not a Lord.

La. No; Sir *Edward Coke* upon theſe Words, Any Lord of this Realm, or other Perſon ſworn of the King's Council, infers 4 *Inſt. p.* 38. that it is to be underſtood of ſuch a Lord only as is a Privy-Counſellor.

Ph. For barring of the Lords of Parliament from this Privilege, he ſtrains this Statute a little farther (in my Opinion) than it reacheth of itſelf. But how are ſuch Felonies to be tried?

La. The Indictment is to be found before the Steward, Treaſurer, and Comptroller of the King's Houſe, or one of them, by twelve of the King's houſhold Servants. The petit Jury for the Trial muſt be twelve other of the King's Servants, and the Judges are again the Steward, Treaſurer, and Comptroller of the King's Houſe, or two of them; and yet I ſee that theſe Men are not uſually great Students of the Law.

Ph. You may hereby be aſſured, that either the King and Parliament were very much overſeen in chuſing ſuch Officers perpetually for the Time being, to be Judges in a Trial at the Common Law, or elſe that Sir *Edward Coke* preſumes too much, to appropriate all the Judicature, both in Law and Equity, to the Common Lawyers;

as

as if neither Lay-perſons, Men of Honour, nor any of the Lords Spiritual, who are the moſt verſed in the Examination of Equity, and Caſes of Conſcience, when they hear the Statutes read and pleaded, were unfit to judge of the Intention and Meaning of the ſame. I know, that neither ſuch great Perſons, nor Biſhops, have ordinarily ſo much ſpare Time from their ordinary Employment as to be ſo ſkilful as to plead Cauſes at the Bar; but certainly they are, eſpecially the Biſhops, the beſt able to judge of Matters of Reaſon; that is to ſay, (by Sir *Edward Coke*'s Confeſſion) of Matters (except of Blood) at the Common Law.

La. Another ſort of Felony, though without Manſlaughter, is Robbery; and by Sir *Edward Coke*, 4 *Inſt.* p. 68. defined thus: Robbery by the Common Law is a Felony committed by a violent Aſſault upon the Perſon of another, by putting him in Fear, and taking away from him his Money, or other Goods of any Value whatſoever.

Ph. Robbery is not diſtinguiſhed from Theſt by any Statute. *Latrocinium* comprehendeth them both, and both are Felony, and both puniſhed with Death. And therefore to diſtinguiſh them aright is the Work of Reaſon only. And the firſt Difference which is obvious to all Men, is, that Robbery is committed by Force or Terror, of which neither is in Theft; for Theſt is a ſecret Act, and that which is taken by Violence or Terror, or in his Preſence, is ſtill Robbery; but if it be taken ſecretly, whether it be by Day or Night, from his Perſon, or from his Fold, or from his Paſture, then it is called Theſt. 'Tis Force and Fraud only that diſtinguiſheth between Theſt and Robbery, both which are by the Pravity only of the Intention, Felony, in their Nature. But there be ſo many Evaſions of the Law found out by evil Men, that I know not in this Predicament of Felony how to place them: for ſuppoſe I go ſecretly by Day or Night, into another Man's Field of Wheat, ripe, and ſtanding, and loading my Cart with it I carry it away; is it Theſt, or Robbery?

La. Neither; it is but Treſpaſs: but if you firſt lay down the Wheat you have cut, and then throw it into your Cart, and carry it away, then it is Felony.

Ph. Why ſo?

La. Sir *Edward Coke* tells you the Reaſon of it, 4 *Inſt.* p. 107. for he defineth Theſt to be, by the Common Law, a felonious aud fraudulent taking and carrying away by any Man or Woman, of the mere perſonal Goods of another, not from the Perſon, nor by Night in the Houſe of the Owner. From this Definition he argues thus, p. 109. Any kind of Corn, or Grain, growing upon the Ground, is a perſonal Chattel, and the Executors of the Owner ſhall have them, though they be not ſevered; but yet no Larceny can be committed of them becauſe they are annexed to the Realty: So it is of Graſs ſtanding on the Ground, or of Apples, or of any Fruit upon the Trees, *&c.* So it is of a Box, or Cheſt of Charters, no Larceny can be committed of them, becauſe the Charters concern the Realty, and the Box or Cheſt, though it be of great Value, yet ſhall it be of the ſame Nature the Charters are of. *Omne magis dignum trahit ad ſe minus.*

Ph. Is this Definition drawn out of any Statute, or is it in *Bracton*, or *Littleton*, or any other Writer upon the Science of the Laws?

La. No; it is his own; and you may obſerve by the Logic Sentences diſperſed through his Works, that he was a Logician ſufficient enough to make a Definition.

Ph. But if his Definitions muſt be the Rule of Law; what is there that he may not make Felony, or not Felony, at his Pleaſure? But ſeeing it is not Statute Law that he ſays, it muſt be very perfect Reaſon, or elſe no Law at all; and to me it ſeems ſo far from Reaſon, as I think it ridiculous. But let us examine it. There can, ſays he, be no Larceny of Corn, Graſs, or Fruits that are growing, that is to ſay, they cannot be ſtolen; but why? Becauſe they concern the Realty; that is, becauſe they concern the Land. 'Tis true, that the Land cannot be ſtolen, nor the Right of a Man's Tenure; but Corn, and Trees, and Fruit, though growing, may be cut down, and carried away ſecretly, and feloniouſly, in Contempt, and Deſpight of the Law. And are they not then ſtolen? And is there any Act which is feloniouſly committed, that is not more than Treſpaſs? Can any Man doubt it that underſtands the *Engliſh* Tongue? 'Tis true, that if a Man pretend a Right to the Land, and on that Pretence take the Fruits thereof by way of taking Poſſeſſion of his own, it is no more than a Treſpaſs, unleſs he conceal the taking of them; for in that one Caſe, he but puts the Man that was in Poſſeſſion before to exhibit his Complaint, which Purpoſe is not felonious, but lawful; for nothing makes a Diſtinction between Felony, and not Felony, but the Purpoſe. I have heard that if a Man ſlander another with ſtealing of a Tree ſtanding, there lies no Action for it, and that upon this ground, to ſteal a ſtanding Tree is impoſſible; and the Cauſe of the Impoſſibility is, that a Man's Freehold cannot be ſtolen; which is a very obvious Fallacy; for Freehold ſignifieth, not only the Tenement, but alſo the Tenure; and though it be true that a Tenure cannot be ſtolen, yet every Man ſees that ſtanding Trees, and Corn, may eaſily be ſtolen; and ſo far forth as Trees, *&c.* are part of the Freehold, ſo far forth alſo they are perſonal Goods; for whatſoever is Freehold is Inheritance, and deſcendeth to the Heir, and nothing can deſcend to the Executors, but what is merely perſonal. And though a Box, or Caſe of Evidences are to deſcend to the Heir, yet unleſs you can ſhew me poſitive Law to the contrary, they ſhall be taken into the Executor's Hands, to be delivered to the Heir. Beſides, how unconſcionable a Thing is it, that he that ſteals a Shilling's worth of Wood, which the Wind hath blown down, or which lieth rotten on the Ground, ſhould be hang'd for it, and he that takes a Tree worth twenty or forty Shillings, ſhould anſwer only for the Damage?

La. 'Tis ſomewhat hard, but it has been ſo practiſed Time out of Mind. Then follows Sodomy, and Rape, both of them Felonies.

Ph. I know that, and that of the former he juſtly ſays it is deteſtable, being in a manner an Apoſtacy from human Nature: But in neither of them is there any thing of *Animus felleus.* The Statutes which make them Felony are expoſed to all Mens reading; but becauſe Sir *Edw. Coke*'s Commentaries upon them are more diligent and accurate than to be free from all Uncleanneſs, let us leap over them both, obſerving only by the Way, that he leaves an Evaſion for an impotent Offender, though his Deſign be the ſame, and purſued to the utmoſt of his Power.

La. Two other great Felonies are breaking and burning Houſes, neither of which are defin'd by any Statute. The former of them is, by Sir *Edw. Coke*. 4. *Inſt.* p. 63. defined thus: Burglary is by the Common Law, the breaking and entering into the Manſion-houſe of another, in the Night, with Intent to kill ſome reaſonable Creature, or to commit ſome other Felony within the ſame, whether his Intent be executed or not; and defineth Night to be then, when one Man cannot know another's Face by Day-light: And for the Parts of a Manſion-houſe, he reckoneth all Houſes that belong to Houſe-keeping, as Barns, Stables, Dary-Houſes, Buttery, Kitchen, Chambers, *&c.* But breaking a Houſe by Day, though Felony, and puniſhed as Burglary, is not within the Statute.

Ph. I have nothing to ſay againſt his Interpretations here, but I like not that any private Man ſhould preſume to determine, whether ſuch, or ſuch a Fact done be within the Words of a Statute, or not, where it belongs only to a Jury of twelve Men to declare in their Verdict, whether the Fact laid open before them be Burglary, Robbery, Theft, or other Felony; for this is to give a leading Judgment to the Jury, who ought not to conſider any private Lawyer's Inſtitutes, but the Statutes themſelves pleaded before them for Directions.

La. Burning, as he defines it, p. 66. is a Felony at the Common Law, committed by any that maliciouſly and voluntarily, in the Night or Day, burneth the Houſe of another: And hereupon he infers, if a Man ſets Fire to the Houſe, and it takes not, that then it is not within the Statute.

Ph. If a Man ſhould ſecretly, and maliciouſly lay a quantity of Gun-powder under another Man's Houſe, ſufficient to blow it up, and ſet a Train of Powder in it, and ſet Fire to the Train, and ſome Accident hinder the Effect, is not this Burning? or what is it? what Crime? It is neither Treaſon, nor Murder, nor Robbery, nor Theft, nor (no Damage being made) any Treſpaſs, nor contrary to any Statute. And yet (ſeeing the Common Law is the Law of Reaſon) it is a Sin, and ſuch a Sin as a Man may be accuſed of, and convicted, and conſequently a Crime committed of Malice prepenſed; ſhall he not then be puniſhed for the Attempt? I grant you that a Judge has no Warrant from any Statute Law, Common Law, or Commiſſion, to appoint the Puniſhment, but ſurely the King has Power to puniſh him (on this Side of Life or Member) as he pleaſe; and with the Aſſent of Parliament (if not without) to make the Crime for the future capital.

La. I know not. Beſides theſe Crimes there is Conjuration, Witchcraft, Sorcery, and Inchantment, which are capital by the Statute, 1 of King *James*, *c.* 12.

Ph. But I deſire not to diſcourſe of that Subject; for though without doubt there is ſome great Wickedneſs ſignified by thoſe Crimes; yet have I ever found myſelf too dull to conceive the Nature of them, or how the Devil hath Power to do many things which Witches have been accuſed of. Let us now come to Crimes not capital.

La. Shall we paſs over the Crime of Hereſy, which Sir *Edward Coke* ranketh before Murder? but the Conſideration of it will be ſomewhat long.

Ph. Let us defer it till the Afternoon.

Of HERESY.

La. Concerning Hereſy, Sir *Edward Coke*, 4 *Inſt. p.* 39. ſays, that five Things fall into Conſideration. 1. Who be the Judges of Hereſy. 2. What ſhall be judged Hereſy. 3. What is the Judgment upon a Man convicted of Hereſy. 4. What the Law alloweth him to ſave his Life. 5. What he ſhall forfeit by Judgment againſt him.

Ph. The principal Thing to be conſidered, which is the Hereſy itſelf, he leaveth out; *viz.* What it is, in what Fact or Words it conſiſteth, what Law it violateth, Statute Law, or the Law of Reaſon. The Cauſe why he omitteth it, may perhaps be this; that it was not only out of his Profeſſion, but alſo out of his other Learning. Murder, Robbery, Theft, *&c.* every Man knoweth to be evil, and are Crimes defined by the Statute Law, ſo that any Man may avoid them if he will. But who can be ſure to avoid Hereſy, if he but dare to give an Account of his Faith, unleſs he know beforehand what it is?

La. In the Preamble of the Statute of 2 *Hen.* 4. *c.* 15. Hereſy is laid down, as a Preaching or Writing of ſuch Doctrine, as is contrary to the Determination of Holy Church.

Ph. Then it is Hereſy at this Day to preach or write againſt worſhipping of Saints, or the Infallibility of the Church of *Rome*, or any other Determination of the ſame Church: For Holy Church at that Time was underſtood to be the Church of *Rome*, and now with us the Holy Church I underſtand to be the Church of *England*; and the Opinions in that Statute are now, and were then the true Chriſtian Faith. Alſo the ſame Statute of *Hen.* 4. declareth, by the ſame Preamble, that the Church of *England* had never been troubled with Hereſy.

La. But that Statute is repealed.

Ph. Then alſo is that Declaration or Definition of Hereſy repealed.

La. What, ſay you, is Hereſy?

Ph. I ſay Hereſy is a Singularity of Doctrine, or Opinion, contrary to the Doctrine of another Man, or Men, and the Word properly ſignifies the Doctrine of a Sect, which Doctrine is taken upon Truſt of ſome Man of Reputation for Wiſdom, that was the firſt Author of the ſame. If you will underſtand the Truth hereof, you are to read the Hiſtories and other Writings of the ancient *Greeks*, whoſe Word it is, which Writings are extant in theſe Days, and eaſy to be had. Wherein you will find, that in, and a little before the Time of *Alexander* the Great, there lived in *Greece* many excellent Wits, that employed their Time in ſearch of the Truth in all manner of Sciences worthy of their Labour, and which to their great Honour and Applauſe publiſhed their Writings; ſome concerning Juſtice, Laws, and Government; ſome concerning good and evil Manners; ſome concerning the Cauſes of Things natural, and of Events diſcernable by Senſe; and ſome of all theſe Subjects. And of the Authors of theſe, the principal were *Pythagoras*, *Plato*, *Zeno*, *Epicurus*, and *Ariſtotle*, Men of deep and laborious Meditation, and ſuch as did not get their Bread by their Philoſophy, but were able to live of their own, and were in Honour with Princes and other great Perſonages. But theſe Men, though above the reſt in Wiſdom, yet their Doctrine in many Points did diſagree; whereby it came to paſs, that ſuch Men as ſtudied their Writings, inclined, ſome to *Pythagoras*, ſome to *Plato*, ſome to *Ariſtotle*, ſome to *Zeno*, and ſome to *Epicurus*. But Philoſophy itſelf was then ſo much in Faſhion, as that every rich Man endeavoured to have his Children educated in the Doctrine of ſome or other of theſe Philoſophers, which were for their Wiſdom ſo much renowned. Now thoſe that followed *Pythagoras*, were called *Pythagoreans*; thoſe that followed *Plato*, *Academics*; thoſe that followed *Zeno*, *Stoics*; thoſe that followed *Epicurus*, *Epicureans*; and thoſe that followed *Ariſtotle*, *Peripatetics*; which are the Names of Hereſy in *Greek*, which ſignifies no more but taking of an Opinion; and the ſaid *Pythagoreans*, *Academics*, *Stoics*, *Peripatetics*, *&c.* were termed by the Names of ſo many ſeveral Hereſies. All Men, you know, are ſubject to Error, and the Ways of Error very different; and therefore it is no Wonder if theſe wiſe and diligent Searchers of the Truth did, notwithſtanding their excellent Parts, differ in many Points amongſt themſelves. But this laudable Cuſtom of great, wealthy Perſons to have their Children at any Price to learn Philoſophy, ſuggeſted to many idle and needy Fellows, an eaſy and compendious way of Maintenance; which was to teach the Philoſophy, ſome of *Plato*, ſome of *Ariſtotle*, *&c.* whoſe Books to that end they read over, but without Capacity, or much Endeavour to examine the Reaſons of their Doctrines, taking only the Concluſions, as they lay; and ſetting up with this, they ſoon profeſſed themſelves Philoſophers, and got to be School-maſters to the Youth of *Greece*; but by Competition for ſuch Employment, they hated and reviled one another with all the bitter Terms they could invent; and very often, when upon Occaſion they were in civil Company, fell firſt to Diſputation, and then to Blows, to the great Trouble of the Company, and their own Shame. Yet amongſt all their reproachful Words the Name of Heretic came never in, becauſe they were all equally Heretics, their Doctrine not being theirs, but taken upon Truſt from the aforeſaid Authors. So that though we find Hereſy often mentioned in *Lucian*, and other heathen Authors, yet we ſhall not find in any of them *Hæreticus* for a Heretic. And this Diſorder among the Philoſophers continued a long time in *Greece*, and infecting alſo the *Romans*, was at the greateſt in the times of the Apoſtles, and in the primitive Church, till the time of the *Nicene* Council, and ſomewhat after. But at laſt the Authority of the *Stoics* and *Epicureans* was not much eſteemed, only *Plato*'s and *Ariſtotle*'s Philoſophy were much in Credit; *Plato*'s with the better Sort, that founded their Doctrine upon the Conceptions and Ideas of Things, and *Ariſtotle's* with thoſe that reaſoned only from the Names of Things, according to the Scale of the *Categories*: Nevertheleſs there were always, though not new Sects of Philoſophy, yet new Opinions continually ariſing.

La. But how came the word Heretic to be a Reproach?

Ph. Stay a little. After the Death of our Saviour, his Apoſtles and his Diſciples, as you know, diſperſed themſelves into ſeveral Parts of the World to preach the Goſpel, and converted much People, eſpecially in *Aſia the Leſs*, in *Greece* and *Italy*, where they conſtituted many Churches; and as they travelled from Place to Place, left Biſhops to teach and direct thoſe their Converts, and to appoint Preſbyters under them to aſſiſt them therein, and to confirm them, by ſetting forth the Life and Miracles of our Saviour, as they had received it from the Writings of the Apoſtles and Evangeliſts; whereby (and not by the Authority of *Plato*, or *Ariſtotle*, or any other Philoſopher) they were inſtructed. Now you cannot doubt but that among ſo many Heathens, converted in the Time of the Apoſtles, there were Men of all Profeſſions and Diſpoſitions, and ſome that had never thought of Philoſophy at all, but were intent upon their Fortunes or their Pleaſures; and ſome that had a greater, ſome a leſſer Uſe of Reaſon; and ſome that had ſtudied Philoſophy, but profeſſed it not, which were commonly the Men of the better Rank; and ſome had profeſſed it only for their better Subſiſtence, and had it not farther than readily to talk and wrangle; and ſome were Chriſtians in good earneſt, and others but counterfeit, intending to make uſe of the Charity of thoſe that were ſincere Chriſtians, which in thoſe Times was very great. Tell me now, of theſe ſorts of Chriſtians which was the moſt likely to afford the fitteſt Men to propagate the Faith by preaching and writing, or public or private Diſputation; that is to ſay, who were fitteſt to be made Preſbyters and Biſhops?

La. Certainly thoſe who (*cæteris paribus*) could make the beſt uſe of *Ariſtotle*'s Rhetoric and Logic.

Ph. And who were the moſt prone to Innovation?

La. They that were moſt confident of *Ariſtotle*'s and *Plato*'s (their former Maſters) natural Philoſophy: For they would be the apteſt to wreſt the Writings of the Apoſtles and all Scriptures, to the Doctrine in which their Reputation was engaged.

Ph. And from ſuch Biſhops and Prieſts, and other Sectaries, it was, that Hereſy among the Chriſtians firſt came to be a Reproach: For no ſooner had one of them preached, or publiſhed any Doctrine that diſpleaſed either the moſt, or the moſt leading Men of the reſt, but it became ſuch a Quarrel as not to be decided but by a Council of the Biſhops in the Province where they lived; wherein he that would not ſubmit to the General Decree, was called an Heretic, as one that would not relinquiſh the Philoſophy of his Sect; the reſt of the Council gave themſelves the Name of Catholics, and to their Church, the Name of Catholic Church. And thus came up the oppoſite Terms of Catholic and Heretic.

La. I underſtand how it came to be a Reproach, but not how it follows that every Opinion condemned by a Church that is, or calls itſelf Catholic, muſt needs be an Error, or a Sin. The Church of *England* denies that Conſequence, and that Doctrine, as they hold, cannot be proved to be erroneous, but by the Scripture, which cannot err; but the Church, being but Men, may both err and ſin.

Ph. In this Caſe we muſt conſider alſo, that Error, in its own Nature, is no Sin: For it is impoſſible for a Man to err on Purpoſe, he cannot have an Intention to err; and nothing is Sin, unleſs there be a ſinful Intention; much leſs are ſuch Errors Sins, as neither hurt the Commonwealth nor any private Man, nor are againſt any Law, poſitive or natural; ſuch Errors as were thoſe for which Men were burnt in the Time when the Pope had the Government of this Church.

La. Since you have told me how Hereſy came to be a Name, tell me alſo how it came to be a Crime? and what were the Hereſies that firſt were made Crimes?

Ph. Since the Chriſtian Church could declare, and none elſe, what Doctrines were Hereſies, but had no Power to make Statutes for the Puniſhment of Heretics before they had a Chriſtian King; it is manifeſt that Hereſy could not be made a Crime before the firſt Chriſtian Emperor, which was *Conſtantine* the Great. In his Time one *Arius*, a Prieſt of *Alexandria*, in Diſpute with his Biſhop, publicly deny'd the Divinity of Chriſt, and maintained it afterwards in the Pulpit, which was the Cauſe of a Sedition and much Bloodſhed, both of Citizens and Soldiers in that City. For the preventing of the like for the Time to come, the Emperor called a General Council of Biſhops to the City of *Nice*, who being met, he exhorted them to agree upon a Confeſſion of the Chriſtian Faith, promiſing whatſoever they agreed on he would cauſe to be obſerved.

La. By the way, the Emperor, I think, was here a little too indifferent.

Ph. In this Council was eſtabliſhed ſo much of the Creed we now uſe, and call the *Nicene* Creed, as reacheth to the Words, *I believe in the Holy Ghoſt*. The reſt was eſtabliſhed by the three General Councils next ſucceeding. By the Words of which Creed, almoſt all the Hereſies then in being, and eſpecially the Doctrine of *Arius*, were condemned: So that now all Doctrines publiſhed by Writing, or by Word, and repugnant to this Confeſſion of the firſt four General Councils, and contained in the *Nicene* Creed, were, by the Imperial Law forbidding them, made Crimes; ſuch as are that of *Arius*, denying the Divinity of Chriſt; that of *Eutiches*, denying the two Natures of Chriſt; that of the *Neſtorians*, denying the Divinity of the Holy Ghoſt; that of the *Anthropomorphites*; that of the *Manichees*; that of the *Anabaptiſts*; and many other.

La. What Puniſhment had *Arius*?

Ph. At the firſt, for refuſing to ſubſcribe, he was deprived and baniſhed; but afterwards having ſatisfied the Emperor concerning his future Obedience (for the Emperor cauſed this Confeſſion to be made, not for the Regard of Truth of Doctrine, but for the preſerving of the Peace, eſpecially among his Chriſtian Soldiers, by whoſe Valour he had gotten the Empire, and by the ſame was to preſerve it) he was received again into Grace, but died before he could repoſſeſs his Benefice. But after the Time of thoſe Councils, the Imperial Law made the Puniſhment for Hereſy to be capital, though the manner of the Death was left to the Præfects in their ſeveral Juriſdictions; and thus it continued till ſomewhat after the Time of the Emperor *Frederic Barbaroſſa*, and the Papacy having gotten the upperhand of the Emperor, brought in the Uſe of burning both Heretics and Apoſtates; and the Popes from Time to Time made Hereſy of many other Points of Doctrine (as they ſaw it conduce to the ſetting up of the Chair above the Throne) beſides thoſe determined in the *Nicene* Creed, and brought in the Uſe of burning; and according to this Papal Law, there was an Apoſtate burnt at *Oxford* in the Time of *William* the Conqueror, for turning *Jew*. But of a Heretic burnt in *England* there is no Mention made, till after the Statute of 2 *Henry* 4. whereby ſome Followers of *Wiclif*, called *Lollards*, were afterwards burned, and that for ſuch Doctrines, as by the Church of *England*, ever ſince the firſt Year of Queen *Elizabeth*, have been approved for godly Doctrines, and no Doubt were godly then; and ſo you ſee how many have been burnt for Godlineſs.

La. 'Twas not well done; but 'tis no Wonder we read of no Heretics before the Time of *Henry* IV. for in the Preamble to that Statute it is intimated, that before thoſe *Lollards* there never was any Hereſy in *England*.

Ph. I think ſo too; for we have been the tameſt Nation to the Pope of all the World. But what Statutes concerning Hereſy have there been made ſince.

La. The Statute of 2 *Hen.* 5. *c.* 7. which adds to the burning the Forfeiture of Lands, and Goods, and then no more till the 25 *H.* 8. *c.* 14. which confirms the two former, and giveth ſome new Rules concerning how they ſhall be proceeded with. But by the Statute of 1 *Ed.* 6. *cap.* 12. all Acts of Parliament formerly made to puniſh any manner of Doctrine concerning Religion are repeal'd. For therein it is ordain'd, after divers Acts ſpecified, that all and every other Act, or Acts of Parliament concerning Doctrine, or Matters of Religion, and all and every Branch, Article, Sentence and Matter, Pains and Forfeitures contained, mentioned, or any wiſe declared in the ſame Acts of Parliament or Statutes, ſhall be from henceforth repealed, utterly void, and of none Effect. So that in the Time of King *Ed.* 6. not only all Puniſhments of Hereſy were taken away, but alſo the Nature of it was changed, to what originally it was, a private Opinion. Again in 2 *Phil.* and *Ma.* thoſe former Statutes of 2 *H.* 4. *cap.* 15. 2 *H.* 5. *cap.* 17. 25 *H.* 8. *cap.* 14. are revived, and the Branch of 1 *Ed.* 6. *cap.* 12. touching Doctrine (though not ſpecially named) ſeemeth to be this, that the ſame Statute confirmeth the Statute of 25 *Ed.* 3. concerning Treaſons. Laſtly, in the firſt Year of Queen *Eliz.* *cap.* 1. the aforeſaid Statutes of Queen *Mary* are taken away, and thereby the Statute of 1 *Ed.* *cap.* 12. revived; ſo as there was no Statute left for the Puniſhment of Heretics. But Queen *Eliz.* by the Advice of her Parliament gave a Commiſſion (which was called the High-Commiſſion) to certain Perſons (amongſt whom were very many of the Biſhops) to declare what ſhould be Hereſy for the future; but with a Reſtraint, that they ſhould judge nothing to be Hereſy, but what had been ſo declared in the firſt four General Councils.

Ph. From this which you have ſhewed me, I think we may proceed to the Examination of the learned Sir *Edw. Coke* concerning Hereſy. In his Chapter of Hereſy, 3 *Inſt.* p. 40. he himſelf confeſſeth, that no Statute againſt Hereſy ſtood then in force; when in the 9th Year of King *James, Bartholomew Legat* was burnt for *Arianiſm*, and that from the Authority of the Act of 2 *Hen.* 4. *cap.* 15. and other Acts cited in the Margin, it may be gather'd, that the Dioceſan hath the Juriſdiction of Hereſy. This I ſay is not true: For as to Acts of Parliament it is manifeſt, that from Acts repealed, that is to ſay, from things that have no Being, there can be gathered nothing. And as to the other Authorities in the Margin, *Fitzherbert*, and the Doctor and Student, they ſay no more than what was Law in the Time they writ; that is, when the Pope's uſurped Authority was here obeyed: But if they had written this in the Time of King *Edw.* VI. or Queen *Elizabeth*, Sir *Edw. Coke* might as well have cited his own Authority as theirs; for their Opinions had no more the Force of Laws than his. Then he cites this Precedent of *Legat*, and another of *Hammond* in the Time of Queen *Elizabeth*; but Precedents prove only what was done, and not what was well done. What Juriſdiction could the Dioceſan then have of Hereſy, when by the Statute of *Edw.* VI. *cap.* 12. then in Force, there was no Hereſy, and all Puniſhment for Opinions was forbidden: For Hereſy is a Doctrine contrary to the Determination of the Church, but then the Church had not determined any thing at all concerning Hereſy.

La. But ſeeing the High Commiſſioners had Power to correct and amend Hereſies, they muſt have Power to cite ſuch as were accuſed of Hereſy, to appear before them, or elſe they could not execute their Commiſſion.

Ph. If they had firſt made and publiſhed a Declaration of what Articles they made Hereſy, that when one Man heard another ſpeak againſt their Declaration, he might thereof inform the Commiſſioners, then indeed they had had Power to cite, and impriſon the Perſon accus'd; but before they had known what ſhould be Hereſy, how was it poſſible that one Man ſhould accuſe another? And before he is accuſed, how can he be cited?

La. Perhaps it was taken for granted, that whatſoever was contrary to any of the four firſt general Councils, was to be judged Hereſy.

Ph. That granted, yet I ſee not how one Man might accuſe another 'ere the better for thoſe Councils. For not one Man of ten thouſand had ever read them, nor were they ever publiſhed in *Engliſh*, that a Man might avoid offending againſt them, nor perhaps are they extant; nor if thoſe that we have printed in *Latin* are the very Acts of the Councils (which is yet much diſputed amongſt Divines) do I think it fit they were put in the vulgar Tongues. But it is not likely that the Makers of the Statutes had any Purpoſe to make Hereſy of whatſoever was repugnant to thoſe four General Councils: For if they had, I believe the Anabaptiſts, of which there was great Plenty in thoſe Times, would one Time or other have been queſtion'd upon this Article of the *Nicene* Creed, *I believe one Baptiſm for the Remiſſion of Sins*; nor was the Commiſſion itſelf for a long Time after regiſtred, that Men might in ſuch Uncertainty take heed and abſtain (for their better Safety) from ſpeaking of Religion any thing at all. But by what Law was this Heretic *Legat* burnt? I grant he was an *Arian*, and his Hereſy contrary to the Determination of the Church of *England*, in the higheſt Points of Chriſtianity; but ſeeing there was no Statute Law to burn him, and no Penalty forbidden, by what Law, by what Authority was he burnt?

La. That this *Legat* was accuſed of Hereſy, was no Fault of the High Commiſſioners; but when he was accuſed, it had been a Fault in them not to have examin'd him; or having examin'd him, and found him an *Arian*, not to have judged him ſo, or not to have certified him ſo. All this they did, and this was all that belonged unto them; they medled not with his burning, but left him to the ſecular Power to do with him what they pleaſed.

Ph. Your Juſtification of the Commiſſioners is nothing to the Queſtion; the Queſtion is by what Law he was burnt; the Spiritual Law gives no Sentence of temporal Puniſhment, and Sir *Edward Coke* confeſſeth that he could not be burned; and Burning being forbidden by Statute Law, by what Law then was he burned?

La. By the Common Law.

Ph. What's that? It is not Cuſtom; for before the Time of *Henry* the 4th, there was no ſuch Cuſtom in *England*; or if there had, yet thoſe Laws that came after were but Confirmations of the Cuſtoms, and therefore the repealing of thoſe Laws was a repealing of the Cuſtom. For when King *Edward* the 6th, and Queen *Elizabeth*, aboliſhed thoſe Statutes, they aboliſhed all Pains, and conſequently Burning, or elſe they had aboliſhed nothing. And if you will ſay he was burnt by the Law of Reaſon, you muſt tell me how there can be Proportion between Doctrine and Burning; there can be no Equality, nor Majority, nor Minority aſſigned between them. The Proportion that is between them, is the Proportion of the Miſchief which the Doctrine maketh, to the Miſchief to be inflicted on the Doctor; and this is to be meaſured only by him that hath the Charge of governing the People, and conſequently, the puniſhing of Offences can be determined by none but by the King, and that, if it extend to Life or Member, with the Aſſent of Parliament.

La. He does not draw any Argument for it from Reaſon, but alledgeth for it this Judgment executed upon *Legat*, and a Story out of *Hollingſhed*, and *Stow*: but I know that neither Hiſtory, nor Precedent, will paſs with you for Law. And though there be a Writ *de hæretico comburendo* in the Regiſter (as you may read in *Fitzherbert*) grounded upon the Statutes of 2 *Hen.* 4. *cap.* 15. and 2 *Hen.* 5. *cap.* 7. yet ſeeing thoſe Statutes are void, you will ſay the Writ is alſo void.

Ph. Yes indeed will I. Beſides this, I underſtand not how that is true that he ſaith; that the Dioceſan hath Juriſdiction of Hereſy, and that ſo it was put in Uſe in all Queen *Elizabeth*'s Reign; whereas by the Statute it is manifeſt, that all Juriſdiction ſpiritual, was given under the Queen, to the High Commiſſioners; how then could any one Dioceſan have any Part thereof without Deputation from them, which by their Letters Patents they could not grant, nor was it reaſonable they ſhould: for the Truſt was not committed to the Biſhops only, but alſo to divers Layperſons, who might have an Eye upon their Proceedings, leſt they ſhould incroach upon the Power temporal. But at this Day there is neither Statute, nor any Law to puniſh Doctrine, but the ordinary Power Eccleſiaſtical, and that according to the Canons of the Church of *England*, only authoriſed by the King, the high Commiſſion being long ſince aboliſhed. Therefore let us come now to ſuch Cauſes criminal, as are not capital.

Of a PREMUNIRE.

La. THE greateſt Offence not capital, is that which is done againſt the Statute of Proviſoes.

Ph. You have need to expound this.

La. This Crime is not unlike to that for which a Man is outlawed, when he will not come in and ſubmit himſelf to the Law; ſaving that in Outlawries there is a long Proceſs to precede it; and he that is outlawed, is put out of the Protection of the Law. But for the Offence againſt the Statute of Proviſoes (which is called *Præmunire facias* from the Words in the Original Writ) if the Offender ſubmit not himſelf to the Law within the Space of two Months after Notice, he is preſently an Outlaw: and this Puniſhment (if not capital) is equivalent to capital? for he lives ſecretly at the Mercy of thoſe that know where he is, and cannot without the like Peril to themſelves, but diſcover him. And it has been much diſputed before the Time of Queen *Elizabeth*, whether he might not be lawfully killed by any

Man that would, as one might kill a Wolf: It is like the Puniſhment amongſt the old *Romans* of being barred the Uſe of Fire and Water, and like the great Excommunication in the Papacy, when a Man might not eat or drink with the Offender without incurring the like Penalty.

Ph. Certainly the Offence for which this Puniſhment was firſt ordained, was ſome abominable Crime, or of extraordinary Miſchief.

La. So it was: For the Pope, you know, from long before the Conqueſt, incroached every Day upon the Power temporal. Whatſoever could be made to ſeem to be *in ordine ad Spiritualia* was in every Commonwealth claimed, and haled to the Juriſdiction of the Pope: And for that End in every Country he had his Court Eccleſiaſtical; and there was ſcarce any Cauſe Temporal, which he could not, by one Shift or other, hook into his Juriſdiction, in ſuch ſort as to have it try'd in his own Courts at *Rome*, or in *France*, or in *England* itſelf. By which means the King's Laws were not regarded, Judgments given in the King's Courts were avoided, and Preſentations to Biſhopricks, Abbies, and other Benefices (founded and endowed by the Kings and Nobility of *England)* were beſtowed by the Pope upon Strangers, or ſuch as (with Money in their Purſes) could travel to *Rome*, to provide themſelves of ſuch Benefices. And ſuitably hereunto, when there was a Queſtion about a Tithe, or a Will, though the Point were merely temporal, yet the Pope's Court here would fetch them in, or elſe one of the Parties would appeal to *Rome*. Againſt theſe Injuries of the *Roman* Church, and to maintain the Right and Dignity of the Crown of *England*, *Edward* I. made a Statute concerning Proviſors (that is, ſuch as provide themſelves with Benefices here from *Rome)* for in the twenty-fifth Year of his Reign, he ordained in a full Parliament, that the Right of Election of Biſhops, and Right of Advowſons and Preſentations belonged to himſelf, and to the Nobility that were the Founders of ſuch Biſhopricks, Abbies, and other Benefices. And he enacted farther, that if any Clerk, which he, or any of his Subjects ſhould preſent, ſhould be diſturbed by any ſuch Proviſor, that ſuch Proviſor or Diſturber ſhould be attached by his Body, and if convicted, lie in Priſon till he were ranſomed at the King's Will, and had ſatisfy'd the Party grieved, renounced his Title, and found Sureties not to ſue for it any farther; and that if they could not be found, then Exigents ſhould go forth to Outlawry, and the Profits of the Benefice in the mean time be taken into the King's Hands. And the ſame Statute is confirmed in the twenty-ſeventh Year of King *Edward* III. which Statute alloweth to theſe Proviſors ſix Weeks to appear, but if they appear before they be outlaw'd, they ſhall be received to make Anſwer; but if they render not themſelves, they ſhall forfeit all their Lands, Goods, and Chattels, beſides that they ſtand outlaw'd. The ſame Law is confirmed again by 16 *Richard* II. *cap.* 5. in which is added (becauſe theſe Proviſors obtained ſometimes from the Pope, that ſuch *Engliſh* Biſhops, as according to the Law were inſtituted and inducted by the King's Preſentees, ſhould be excommunicated) that for this alſo, both they, and the Receivers and Publiſhers of ſuch Papal Proceſs, and the Procurers, ſhould have the ſame Puniſhment.

Ph. Let me ſee the Statute itſelf of 27 *Edward* III.

La. It lies there before you, ſet down *verbatim* by Sir *Edward Coke* himſelf, both in *Engliſh* and *French*.

Ph. 'Tis well, we are now to conſider what it means, and whether it be well or ill interpreted by Sir *Edward Coke*. And firſt it appeareth by the Preamble (which Sir *Edward Coke* acknowledgeth to be the beſt Interpreter of the Statute) that this Statute was made againſt the Incroachments only of the Church of *Rome*, upon the Right of the King, and other Patrons, to collate Biſhopricks and other Benefices within the Realm of *England*; and againſt the Power of the Courts Spiritual, to hold Plea of Controverſies determinable in any of the Courts of the King, or to reverſe any Judgment there given, as being Things that tend to the Diſheriſon of the King, and Deſtruction of the Common Law of the Realm always uſed.

Put the Caſe now that a Man had procured the Pope to reverſe a Decree in Chancery, had he been within the Danger of Premunire?

La. Yes certainly; or if the Judgment had been given in the Court of the Lord Admiral, or in any other King's Court whatſoever, either of Law or Equity; for Courts of Equity are moſt properly Courts of the Common Law of *England*, becauſe Equity and Common Law (as Sir *Edward Coke* ſays) are all one.

Ph. Then the Word Common Law is not in this Preamble reſtrained to ſuch Courts only where the Trial is by Juries, but comprehends all the King's temporal Courts, if not alſo the Courts of thoſe Subjects that are Lords of great Mannors.

La. 'Tis very likely, yet I think it will not by every Man be granted.

Ph. The Statute alſo ſays, That they who draw Men out of the Realm in Plea, whereof the Cognizance pertaineth to the King's Court, or of Things whereof Judgment is given in the King's Court, are within the Caſes of Premunire. But what if one Man draw another to *Lambeth* in Plea, whereof Judgment is already given at *Weſtminſter*; is he by this Clauſe involved in a Premunire?

La. Yes: For though it be not out of the Realm, yet it is within the Meaning of the Statute, becauſe the Pope's Court, not the King's Court, was then perhaps at *Lambeth*.

Ph. But in Sir *Edward Coke*'s Time the King's Court was at *Lambeth*, and not the Pope's.

La. You know well enough, that the Spiritual Court has no Power to hold Pleas of Common Law.

Ph. I do ſo; but I know not for what Cauſe any ſimple Man that miſtakes his right Court, ſhould be out of the King's Protection, loſe his Inheritance, and all his Goods perſonal and real; and if taken, be kept in Priſon all his Life. This Statute cannot be by Sir *Edward Coke*'s Torture made to ſay it. Beſides, ſuch Men are ignorant in what Courts they are to ſeek their Remedy: And it is a Cuſtom confirmed by perpetual Uſage, that ſuch ignorant Men ſhould be guided by their Counſel at Law. It is manifeſt therefore, that the Makers of the Statute intended not to prohibit Men from their ſuing for their Right, neither in the Chancery, nor in the Admiralty, nor in any other Court, except the Eccleſiaſtical Courts, which had their Juriſdictions from the Church of *Rome*. Again, where the Statute ſays, "which do ſue in any other Court, or defeat a Judgment in the King's Court," what is the Meaning of another Court? Another Court than what? Is it not here meant the King's Bench, or Court of Common Pleas? Does a Premunire lye for every Man that ſues in Chancery, for that which might be remedied in the Court of Common Pleas? or can a Premunire lie by this Statute againſt the Lord Chancellor? The Statute lays it only on the Party that ſueth, not upon the Judge which holdeth the Plea. Nor could it be laid neither by this Statute, nor by the Statute of 16 *Rich.* 2. upon the Judges, which were then puniſhable only by the Pope's Authority. Seeing then the Party ſuing has a juſt Excuſe upon the Counſel of his Lawyer; and the temporal Judge and the Lawyer both are out of the Statute, the Puniſhment of the Premunire can light upon nobody.

La. But Sir *Edward Coke* in this ſame Chapter bringeth two Precedents to prove, that though the Spiritual Courts in *England* be now the King's Courts, yet whoſoever ſueth in them for any thing triable by the Common Law, ſhall fall into a Premunire. One is, that whereas in the 22d of *Hen.* 8. all the Clergy of *England* in a Convocation, by public Inſtrument acknowledged the King to be ſupreme Head of the Church of *England*; yet after this, *viz.* 25 of *H.* 8. this Statute was in force.

Ph. Why not? A Convocation of the Clergy could not alter the Right of Supremacy; their Courts were ſtill the *Pope*'s Courts. The other Precedent in the 25th of *Hen.* 8. of the Biſhop of *Norwich* may have the ſame Anſwer, for the King was not declared Head of the Church by the Act of Parliament, till the 26th Year of his Reign. If he had not miſtruſted his own Law, he would not have laid hold on ſo weak a Proof as theſe Precedents. And as to the Sentence of Premunire upon the Biſhop of *Norwich*, neither doth this Statute, nor that other of *R.* 2.

warrant it; he was ſentenced for threatening to excommunicate a Man which had ſued another before the Mayor: But this Statute forbids not that, but forbids the bringing in, or publiſhing of Excommunications, or other Proceſs from *Rome*, or any other Place. Before the 26th of *Hen.* 8. there is no Queſtion, but that for a Suit in the Spiritual Court here in a temporal Cauſe, there lay a Premunire; and if perhaps ſome Judge or other hath ſince that Time judged otherwiſe, his Judgment was erroneous.

La. Nay, but by the Statute of 16 *Rich.* 2. *cap.* 5. it appeareth to the contrary, as Sir *Edward Coke* here will ſhew you. The Effect, ſaith he, of the Statute of *Rich.* 2. is; That if any purſue, or Cauſe to be purſued, in the Court of *Rome*, or elſewhere, any thing which toucheth the King, againſt him, his Crown, or Regality, or his Realm, they, their Notaries, *&c.* ſhall be out of the King's Protection.

Ph. I pray you let me know the very Words of the Statute as they lye.

La. Preſently. The Words are, *If any Man purchaſe, or purſue, or cauſe to be purchaſed, or purſued, in the Court of* Rome, *or elſewhere, any ſuch Tranſlations, Proceſſes, and Sentences of Excommunication, Bulls, Inſtruments, or any other things whatſoever, which touch the King, againſt him, his Crown, and his Regality, or his Realm, as is aforeſaid,* &c.

Ph. If a Man bring a Plea of Common Law into the Spiritual Court, which is now the King's Court, and the Judge of this Spiritual Court hold Plea thereof: by what Conſtruction can you draw it within the Compaſs of the Words you have now read. To ſue for my Right in the King's Court, is no purſuing of Tranſlations of Biſhopricks made, or procured in the Court of *Rome*, or any Place elſe, but only in the Court of the King; nor is this Suit againſt the King, nor his Crown, nor his Regality, nor his Realm, but the contrary. Why then is it a Premunire? No. He that brings in, or ſetteth out a Writing in any Place whatſoever, wherein is contained, that the King hath ſo given away his Juriſdiction, as that if a Subject be condemned falſly, his Submiſſion to the King's Judgment is of none Effect; or that the King upon no Neceſſity whatſoever can, out of Parliament-time, raiſe Money for the Defence of the Kingdom, is, in my Opinion, much more within the Statute of Proviſors, than they which begin Suit for a temporal Matter in a Court ſpiritual. But what Argument has he for this Law of his (ſince the Statute Law fails him) from the Law of Reaſon.

La. He ſays they are called Courts, either becauſe they proceed by the Rules of other Laws, as by the Canon, or Civil Law, or by other Trials than the Common Law doth warrant: For the Trials warranted by the Law of *England* for Matter of Fact, is by Verdict of twelve Men before the Judges of the Common Law, in Matters pertaining to the Common Law, and not upon the Examination of Witneſſes, as in the Court of Equity; ſo that *Alia Curia* is either that which is governed *per aliam Legem*, or which draweth the Party *ad aliud examen.* For if——

Ph. Stop there. Let us conſider of this you have read, for the Trial warranted by the Law of *England*, is by Verdict of twelve Men. What means he here by the Law of *England*? Does it not warrant the Trials in Chancery, and in the Court of Admiralty by Witneſſes?

La. By the Law of *England* he means the Law uſed in the King's Bench, that is to ſay, the Common Law.

Ph. This is juſt as if he had ſaid, that theſe two Courts did warrant their own way of Trial; but other Courts not ſo, but were warranted by the King, only the Courts of Common Law were Warrants to themſelves: you ſee that *alia Curia* is this way ill expounded. In the Courts of Common Law all Trials are by twelve Men, who are Judges of the Fact: and the Fact known and proved, the Judges are to pronounce the Law; but in the Spiritual Court, the Admiralty, and in all the Courts of Equity, there is but one Judge, both of Fact and of Law; this is all the Difference. If this Difference be intended in the Statute by *alia Curia*, there would be a Premunire for ſuing in a Court, being not the King's Court: The King's Bench and Court of Common Pleas may alſo be different Kinds of Courts, becauſe the Proceſs is different; but it is plain that this Statute doth not diſtinguiſh Courts otherwiſe than into the Courts of the King, and into the Courts of the foreign States and Princes. And ſeeing you ſtand upon the Name of a Jury for the diſtinguiſhing of Courts, what Difference do you find between the Trials at the Common Law, and the Trials in other Courts? You know that in Trials of Fact, naturally, and through all the World, the Witneſſes are Judges, and it is impoſſible to be otherwiſe. What then in *England* can a Jury judge of, except it be of the Sufficiency of the Teſtimony? The Juſtices have nothing to judge of, nor do, but after the Fact is proved, to declare the Law; which is not Judgment, but Juriſdiction. Again, though the Trial be in Chancery, or in the Court of Civil Law, the Witneſſes are ſtill Judges of the Fact, and he that hath the Commiſſion to hear the Cauſe, hath both the Parts; that is to ſay, of a Jury to judge of the Teſtimony, and of a Juſtice to declare the Law. In this, I ſay, lies all the Difference, which is indeed enough to make a Diſpute (as the World goes) about Juriſdiction: but ſeeing it tends neither to the Diſheriſon of the King, nor of the People, nor to the Subverſion of the Law of Reaſon, *i. e.* of Common Law, nor to the Subverſion of Juſtice, nor to any Harm of the Realm, without ſome of which theſe Statutes are not broken, it cannot be a Premunire.

La. Let me read on. For if the Freehold Inheritances, Goods and Chattels, Debts and Duties, wherein the King and Subject have Right and Property by the Common Law, ſhould be judged *per aliam Legem*, or be drawn *ad aliud Examen*, the three Miſchiefs before expreſſed, would follow: *viz.* the Deſtruction of the King and his Crown, the Diſheriſon of the People, and the Undoing and Deſtruction of the Common Law always uſed.

Ph. That is to ſay, of the Law of Reaſon. From hence it follows, that where there are no Juries, and where there are different Laws from ours; that is to ſay, in all the World beſides; neither King, nor People, have any Inheritance, nor Goods, nor any Law of Reaſon. I will examine his Doctrine concerning Caſes Criminal no farther. He no where defineth a Crime, that we may know what it is: An odious Name ſufficeth him to make a Crime of any thing. He hath put Hereſy among the moſt odious Crimes, not knowing what it ſignifies; and upon no other Cauſe, but becauſe the Church of *Rome* (to make their uſurped Power more terrible) had made it by long Preaching againſt it, and Cruelty ſhewn towards many godly and learned Men of this and other Reformed Churches, appear to common People a Thing deteſtable. He puts it in as a Plea of the Crown in the Time of Queen *Elizabeth*, whereas in her Time there was no Doctrine Hereſy; but Juſtice *Stamford* leaves it out, becauſe when Hereſy was a Crime, it was a Plea of the *Mitre*. I ſee alſo in this Catalogue of Cauſes Criminal, he inſerteth coſtly Feeding, coſtly Apparel, and coſtly Building, though they were contrary to no Statute. 'Tis true, that by evil Circumſtances they become Sins; but theſe Sins belong to the Judgment of the Paſtors Spiritual. A Juſtice of the Temporal Law (ſeeing the Intention only makes them Sins) cannot judge whether they be Sins or no, unleſs he have Power to take Confeſſions. Alſo he makes Flattery of the King to be a Crime. How could he know when one Man had flattered another? He meant therefore that it was a Crime to pleaſe the King: And accordingly he citeth divers Calamities of ſuch as had been in Times paſt in great Favour of the Kings they ſerved; as the Favourites of *Hen.* 3. *Ed.* 2. *Rich.* 2. *Hen.* 6. which Favourites were ſome impriſoned, ſome baniſhed, and ſome put to Death by the ſame Rebels that impriſoned, baniſhed, and put to Death the ſame King, upon no better Ground than the Earl of *Strafford*, the Archbiſhop of *Canterbury*, and King *Charles* I. by the Rebels of that Time. *Empſon* and *Dudley* were no Favourites of *Henry* VII. but Spunges, which King *Henry* VIII. did well ſqueeze. Cardinal *Woolſey* was indeed for divers Years a Favourite of *Henry* VIII. but fell into Diſgrace, not for flattering the King, but for not flattering him in the Buſineſs of Divorce from Queen *Catherine*. You ſee his Reaſoning here, ſee alſo his Paſſion in the Words following. We will for ſome Cauſes deſcend no lower, *Qui eorum veſtigiis inſiſtunt, eorum exitus perhorreſcant*, this is put in for the Favourite (that then was) of King *James*. But let us give over this, and ſpeak of the legal Puniſhments to theſe Crimes belonging.

Of PUNISHMENTS.

AND in the firſt Place I deſire to know who it is that hath the Power, for an Offence committed, to define and appoint the ſpecial manner of Puniſhment; for I ſuppoſe you are not of the Opinion of the *Stoics* in old Time, that all Faults are equal, and that there ought to be the ſame Puniſhment for killing a Man, as for killing a Hen.

La. The manner of Puniſhment in all Crimes whatſoever is to be determined by the Common Law. That is to ſay, if it be a Statute that determines it, then the Judgment muſt be according to the Statute; if it be not ſpecified by the Statute, then the Cuſtom in ſuch Caſes is to be followed: But if the Caſe be new, I know not why the Judge may not determine it according to Reaſon.

Ph. But according to whoſe Reaſon? If you mean the natural Reaſon of this or that Judge authoriſed by the King to have Cognizance of the Cauſe, there being as many ſeveral Reaſons as there are ſeveral Men, the Puniſhment of all Crimes will be uncertain, and none of them ever grow up to make a Cuſtom. Therefore a Puniſhment certain can never be aſſigned, if it have its beginning from the natural Reaſons of deputed Judges, no, nor from the natural Reaſon of the ſupreme Judge: For if the Law of Reaſon did determine Puniſhments, then for the ſame Offences there ſhould be through all the World, and in all Times, the ſame Puniſhments; becauſe the Law of Reaſon is immutable and eternal.

La. If the natural Reaſon neither of the King, nor of any elſe, be able to preſcribe a Puniſhment, how can there be any lawful Puniſhment at all?

Ph. Why not? For I think that in this very Difference between the rational Faculties of particular Men, lieth the true and perfect Reaſon that maketh every Puniſhment certain. For, but give the Authority of defining Puniſhments to any Man whatſoever, and let that Man define them, and right Reaſon has defin'd them. Suppoſe the Definition be both made, and made known, before the Offence committed: For ſuch Authority is to trump in Card-playing, ſave that in Matter of Government, when nothing elſe is turn'd up, Clubs are Trump. Therefore ſeeing every Man knoweth by his own Reaſon what Actions are againſt the Law of Reaſon, and knoweth what Puniſhments are by this Authority for every evil Action ordained; it is manifeſt Reaſon, that for breaking the known Laws, he ſhould ſuffer the known Puniſhments. Now the Perſon to whom this Authority of defining Puniſhments is given, can be no other in any place of the World, but the ſame Perſon that hath the Sovereign Power, be it one Man, or one Aſſembly of Men: For it were in vain to give it to any Perſon that had not the Power of the Militia to cauſe it to be executed; for no leſs Power can do it, when many Offenders be united and combin'd to defend one another. There was a Caſe put to King *David* by *Nathan*, of a rich Man that had many Sheep, and of a poor Man that had but one, which was a tame Lamb: The rich Man had a Stranger in his Houſe, for whoſe Entertainment (to ſpare his own Sheep) he took away the poor Man's Lamb. Upon this Caſe the King gave Judgment, *Surely the Man that hath done this ſhall die.* What think you of this? Was it a royal or tyrannical Judgment?

La. I will not contradict the Canons of the Church of *England*, which acknowledgeth the King of *England*, within his own Dominions, hath the ſame Rights which the good Kings of *Iſrael* had in theirs; nor deny King *David* to have been one of thoſe good Kings: But to puniſh with Death without a precedent Law, will ſeem but a harſh Proceeding with us, who unwillingly hear of arbitrary Laws, much leſs of arbitrary Puniſhments, unleſs we were ſure that all our Kings would be as good as *David*. I will only aſk you by what Authority the Clergy may take upon them to determine, or make a Canon concerning the Power of their own King, or to diſtinguiſh between the Right of a good and an evil King?

Ph. It is not the Clergy that maketh their Canons to be Law, but it is the King that doth it by the Great Seal of *England*; and it is the King that giveth them Power to teach their Doctrines; in that, that he authoriſeth them publicly to teach and preach the Doctrine of Chriſt and his Apoſtles, according to the Scriptures, wherein this Doctrine is perſpicuouſly contained. But if they had derogated from the Royal Power in any of their Doctrines publiſhed, then certainly they had been to blame; nay, I believe, that they had been more within the Statute of Premunire of 16 *Rich.* 2. *c.* 5. than any Judge of a Court of Equity for holding Pleas of Common Law. I cite not this Precedent of King *David* as approving the Breach of the great Charter, or juſtifying the Puniſhment, with Loſs of Life or Member, of every Man that ſhall offend the King; but to ſhew you, that before the Charter was granted, in all Caſes where the Puniſhments were not preſcribed, it was the King only that could preſcribe them; and that no deputed Judge could puniſh an Offender, but by Force of ſome Statute, or by the Words of ſome Commiſſion, and not *ex officio*. They might for a Contempt of their Courts, becauſe it is a Contempt of the King, impriſon a Man during the King's Pleaſure, or fine him to the King, according to the Greatneſs of the Offence: But all this amounteth to no more, than to leave him to the King's Judgment. As for cutting off of Ears, and for the Pillory, and the like corporal Puniſhments, uſually inflicted heretofore in the Star-Chamber, they were warranted by the Statute of *Henry* VII. that giveth them Power to puniſh ſometimes by Diſcretion. And generally it is a Rule of Reaſon, that every Judge of Crimes, in caſe the poſitive Law appoint no Puniſhments, and he have no other Command from the King; then to conſult the King before he pronounce Sentence of any irreparable Damage on the Offender: For otherwiſe he doth not pronounce the Law, which is his Office to do, but makes the Law, which is the Office of the King. And from this you may collect, that the Cuſtom of puniſhing ſuch and ſuch a Crime, in ſuch and ſuch a manner, hath not the Force of Law in itſelf, but from an aſſured Preſumption, that the Original of the Cuſtom was the Judgment of ſome former King. And for this Cauſe the Judges ought not to run up for the Cuſtoms by which they are warranted to the Time of the *Saxon* Kings, nor to the Time of the Conqueſt: For the moſt immediate antecedent Precedents are the faireſt Warrants of their Judgments, as the moſt recent Laws have commonly the greateſt Vigour, as being freſh in the Memory of all Men, and tacitly confirmed (becauſe not diſapproved) by the Sovereign Legiſlator. What can be ſaid againſt this?

La. Sir *Edward Coke*, 3 *Inſt. p.* 210, in the Chapter of Judgments and Executions, ſaith, that of Judgments ſome are by the Common Law, ſome by the Statute Law, and ſome by Cuſtom; wherein he diſtinguiſheth Common Law both from Statute Law and from Cuſtom.

Ph. But you know, that in other Places he makes the Common Law and the Law of Reaſon to be all one, as indeed they are, when by it is meant the King's Reaſon; and then his Meaning in this Diſtinction muſt be, that there be Judgments by Reaſon without Statute Law, and Judgments neither by Statute Law, nor by Reaſon, but by Cuſtom without Reaſon; for if a Cuſtom be reaſonable, then both he, and other learned Lawyers ſay, it is Common Law; and if unreaſonable, no Law at all.

La. I believe Sir *Edward Coke*'s Meaning was no other than yours in this Point, but that he inſerted the word Cuſtom, becauſe there be not many that can diſtinguiſh between Cuſtoms reaſonable and unreaſonable.

Ph. But Cuſtom, ſo far forth as it hath the Force of a Law, hath more of the Nature of a Statute than of the Law of Reaſon, eſpecially where the Queſtion is not of Lands and Goods, but of Puniſhments, which are to be defined only by Authority. Now to come to Particulars: What Puniſhment is due by Law for High Treaſon?

La. To be drawn upon a Hurdle from the Priſon to the Gallows, and there to be hanged by the Neck, and laid upon the Ground alive, and have his Bowels taken out and burnt, whilſt he is yet living; to have his Head cut off, his Body to be divided into four Parts, and his Head and Quarters to be placed as the King ſhall aſſign.

Ph. Seeing a Judge ought to give Judgment according to the Law, and that this Judgment is not appointed by any Statute, how does Sir *Edward Coke* warrant it by Reaſon, or how by Cuſtom?

La. Only thus, Reaſon it is, that his Body, Lands, Goods, Poſterity, *&c.* ſhould be torn, pulled aſunder, and deſtroy'd, that intended to deſtroy the Majeſty of Government.

Ph. See how he avoids ſaying the Majeſty of the King. But does not this Reaſon make as much for puniſhing a Traitor, as *Metius Suffetius*, in old time, was executed by *Tullus Hoſtilius* King of *Rome*, or as *Ravillac*, not many Years ago in *France*, who were torn in Pieces by four Horſes, as it does for Drawing, Hanging, and Quartering?

La. I think it does. But he confirms it alſo in the ſame Chapter, by holy Scripture. Thus *Joab* for Treaſon, 1 *Kings* ii. 28. was drawn from the Horns of the Altar; that's Proof for drawing upon a Hurdle. *Eſth.* ii. 22. *Bithan* for Treaſon was hang'd; there's Proof for hanging. *Acts* i. 18. *Judas* hanged himſelf, and his Bowels were poured out; there's for hanging, and embowelling alive. 2 *Sam.* xviii. 14. *Joab* pierced *Abſalom*'s Heart; that's Proof for pulling out a Traitor's Heart. 2 *Sam.* xx. 22. *Sheba* the Son of *Bichri* had his Head cut off; which is Proof that a Traitor's Head ought to be cut off. 2 *Sam.* iv. 12. they ſlew *Baanah* and *Rechab*, and hung up their Heads over the Pool of *Hebron*; this is for ſetting up of Quarters. And laſtly, for Forfeiture of Lands and Goods, *Pſal.* cix. 9, 10, *&c.* "Let their Children be driven out, and beg, and other Men make Spoil of "their Labours, and let their Memory be blotted out of the Land.

Ph. Learnedly ſaid; and no Record is to be kept of the Judgment. Alſo the Puniſhments divided between thoſe Traitors muſt be join'd in one Judgment for a Traitor here.

La. He meant none of this, but intended (his Hand being in) to ſhew his Reading, or his Chaplain's, in the Bible.

Ph. Seeing then, for the ſpecifying of the Puniſhment in Caſe of Treaſon, he brings no Argument from natural Reaſon; that is to ſay, from the Common Law; and that it is manifeſt that it is not the general Cuſtom of the Land, the ſame being rarely, or never executed upon any Peer of the Realm, and that the King may remit the whole Penalty, if he will; it follows, that the ſpecifying of the Puniſhment depends merely upon the Authority of the King. But this is certain, that no Judge ought to give other Judgment, than has been uſually given and approved, either by Statute, or by Conſent expreſs or imply'd, of the Sovereign Power; for otherwiſe it is not the Judgment of the Law, but of a Man ſubject to the Law.

La. In petit Treaſon the Judgment is, to be drawn to the Place of Execution, and hang'd by the Neck, or if it be a Woman, to be drawn and burnt.

Ph. Can you imagine, that this ſo nice a Diſtinction can have any other Foundation than the Wit of a private Man?

La. Sir *Edward Coke* upon this Place ſays, that ſhe ought not to be beheaded or hanged.

Ph. No, not by the Judge, who ought to give no other Judgment than the Statute or the King appoints, nor the Sheriff to make other Execution than the Judge pronounceth; unleſs he have a ſpecial Warrant from the King. And this I ſhould have thought he had meant, had he not ſaid before, that the King had given away all his Right of Judicature to his Courts of Juſtice.

La. The Judgment for Felony is——

Ph. Hereſy is before Felony in the Catalogue of the Pleas of the Crown.

La. He has omitted the Judgment againſt a Heretic, becauſe (I think) no Jury can find Hereſy, nor no Judge temporal did ever pronounce Judgment upon it: For the Statute of 2 *Hen.* 5. *c.* 7. was, that the Biſhop having convicted any Man of Hereſy, ſhould deliver him to the Sheriff, and that the Sheriff ſhould believe the Biſhop. The Sheriff therefore was bound by the Statute of 2 *Hen.* 4. after he was delivered to him, to burn him; but that Statute being repeal'd, the Sheriff could not burn him, without a Writ *de Hæretico comburendo*, and therefore the Sheriff burnt *Legat*, 9 King *James*, by that Writ, which was granted by the Judges of the Common Law at that Time, and in that Writ the Judgment is expreſſed.

Ph. This is ſtrange Reaſoning; when Sir *Edward Coke* knew, and confeſſed, that the Statutes upon which the Writ *de Hæretico comburendo* was grounded, were all repealed, how could he think the Writ itſelf could be in Force; or that the Statute which repealeth the Statutes for burning Heretics was not made with an Intent to forbid ſuch Burning? It is manifeſt he underſtood not his Books of Common Law: for in the Time of *Hen.* 4. and *Hen.* 5. the Word of the Biſhop was the Sheriff's Warrant, and there was need of no ſuch Writ; nor could be till the 25th of *Hen.* 8. when thoſe Statutes were repealed, and a Writ made for that Purpoſe, and put into the Regiſter, which Writ *Fitzherbert* cites in the End of his *Natura brevium.* Again, in the latter end of the Reign of Queen *Elizabeth* was publiſhed a correct Regiſter of original and judicial Writs, and the Writ *de Hæretico comburendo* left out, becauſe that Statute of 25 *H.* 8. and all Statutes againſt Heretics, were repealed, and Burning forbidden. And whereas he citeth for the granting of this Writ, 9 *Jac.* the Lord Chief Juſtice, the Lord Chief Baron, and two Juſtices of the Common Pleas, it is, as to all, but the Lord Chief againſt the Law; for neither the Judges of Common Pleas, nor of the Exchequer, can hold Pleas of the Crown (without ſpecial Commiſſion) and if they hold Plea, they cannot condemn.

La. The Puniſhment for Felony is, that the Felon be hanged by the Neck till he be dead. And to prove that it ought to be ſo, he cites a Sentence (from whence I know not) *Quod non licet Felonem pro Felonia decollare.*

Ph. It is not indeed lawful for the Sheriff of his own Head to do it, or to do otherwiſe than is commanded in the Judgment, nor for the Judge to give any other Judgment than according to Statute Law, or the Uſage conſented to by the King; but this hinders not the King from altering his Law concerning Judgments, if he ſee good Cauſe.

La. The King may do ſo, if he pleaſe: And Sir *Edward Coke* tells you how he altered particular Judgments in Caſe of Felony, and ſheweth, that Judgment being given upon a Lord in Parliament, that he ſhould be hanged, he was nevertheleſs beheaded; and that another Lord had the like Judgment for another Felony, and was not hanged, but beheaded; and withal he ſhews you the Inconveniency of ſuch Proceeding, becauſe, ſaith he, if Hanging might be altered to Beheading, by the ſame Reaſon it might be altered to Burning, ſtoning to Death, *&c.*

Ph. Perhaps there might be Inconveniency in it; but 'tis more than I ſee, or he ſhews, nor did there happen any Inconveniency in the Execution he citeth: beſides he granteth, that Death being *ultimum ſupplicium* is a Satisfaction to the Law. But what is all this to the Purpoſe, when it belongeth not to conſider ſuch Inconveniencies of Government but to the King and Parliament? or who from the Authority of a deputed Judge can derive a Power to cenſure the Actions of a King that hath deputed him?

La. For the Death of a Man by Misfortune, there is, he ſaith, no expreſs Judgment, nor for killing a Man in one's own Defence; but he ſaith, that the Law hath in both Caſes given Judgment, that he that ſo killeth a Man ſhall forfeit all his Goods and Chattels, Debts and Duties.

Ph. If we conſider what Sir *Edward Coke* ſaith, 1 *Inſt.* 745, at the Word *Felony*, theſe Judgments are very favourable: for there he ſaith, that killing of a Man by *Chance-medly*, or *ſe defendendo*, is *Felony*. His Words are; Wherefore by the Law at this Day, under the Word *Felony* in Commiſſions, *&c.* is included Petit Treaſon, Murder, Homicide, burning of Houſes, Burglary, Robbery, Rape, *&c. Chance-medly*, and *ſe defendendo*. But if we conſider only the Intent of him that killeth a Man by Misfortune, or in his own Defence, the ſame Judgments will be thought

both

both cruel, and ſinful Judgments. And how they can be *Felony* at this Day cannot be underſtood, unleſs there be a Statute to make them ſo. For the Statute of 25 *H.* 3. *c.* 25. the Words whereof, “ Murder from henceforth ſhall not be judged “ before our Juſtices, where it is found Misfortune only; but it ſhall take Place in “ ſuch as are ſlain by *Felony*, and not otherwiſe,” make it manifeſt, if they be *Felonies*, they muſt alſo be Murders, unleſs they have been made *Felonies* by ſome later Statute.

La. There is no ſuch later Statute, nor is it to ſay in Commiſſion; nor can a Commiſſion, or any thing but another Statute make a thing *Felony*, that was not ſo before.

Ph. See what it is for a Man to diſtinguiſh *Felony* into ſeveral Sorts, before he underſtands the general Name of *Felony* what it meaneth; but that a Man for killing another Man by Misfortune only, without any evil Purpoſe, ſhould forfeit all his Goods and Chattels, Debts and Duties, is a very hard Judgment, unleſs perhaps they were to be given to the Kindred of the Man ſlain, by way of amends for Damage. But the Law is not that. Is it the Common Law, which is the Law of Reaſon, that juſtifies his Judgment, or the Statute Law? It cannot be the Law of Reaſon, if the Caſe be mere Misfortune. If a Man be upon his Apple-tree, to gather his Apples, and by ill Fortune fall down, and lighting on the Head of another Man kill him, and by good Fortune ſaves himſelf; ſhall he for this Miſchance be puniſhed with the Forfeiture of his Goods to the King? Does the Law of Reaſon warrant this? He ſhould, you will ſay, have looked to his Feet; that is true, but ſo ſhould he that was under have looked up to the Tree. Therefore in this Caſe the Law of Reaſon, as I think, dictates, that they ought each of them to bear his own Misfortune.

La. In this Caſe I agree with you.

Ph. But this Caſe is the true Caſe of mere Misfortune, and a ſufficient Reprehenſion of the Opinion of Sir *Edward Coke.*

La. But what if this had happened to be done by one that had been ſtealing Apples upon the Tree of another Man? then (as Sir *Edward Coke* ſays, 3 *Inſt. p.* 56.) it had beenMurder.

Ph. There is indeed great need of good Diſtinction in a Caſe of killing by Misfortune; but in this Caſe the Unlawfulneſs of ſtealing Apples cannot make it Murder, unleſs the falling itſelf be unlawful. It muſt be a voluntary unlawful Act that cauſeth the Death, or elſe it is no Murder by the Law of Reaſon Now the Death of the Man that was under the Tree proceeded not from that, that the Apples were not his that fell, but from the Fall. But if a Man ſhoot with a Bow or a Gun at another Man’s Deer, and by Misfortune kill a Man, ſuch ſhooting being both voluntary and unlawful, and alſo the immediate Cauſe of the Man’s Death, may be drawn perhaps well enough ſometimes to Murder by a Judge of the Common Law. So likewiſe if a Man ſhoot an Arrow over a Houſe, and by Chance kill a Man in the Street, there is no doubt but by the Law of Reaſon it is Murder, for though he meant no Malice to the Man ſlain, yet it is manifeſt, that he cared not whom he ſlew. In this Difficulty of finding out what it is that the Law of Reaſon dictates, who is it that muſt decide the Queſtion?

La. In the Caſe of Misfortune, I think it belongs to the Jury; for it is Matter of Fact only: but when it is doubtful whether the Action from which the Misfortune came, were lawful or unlawful, it is to be judged by the Judge.

Ph. But if the Unlawfulneſs of the Action (as the ſtealing of the Apples) did not cauſe the Death of the Man, then the ſtealing, be it Treſpaſs, or *Felony*, ought to be puniſhed alone, as the Law requireth.

La. But for killing of a Man *ſe defendendo*, the Jury (as Sir *Edward Coke* here ſays) ſhall not in their Verdict ſay it was *ſe defendendo*, but ſhall declare the Manner of the Fact in Special, and clear it to the Judge, to conſider how it is to be called, whether *ſe defendendo*, Manſlaughter, or Murder.

Ph. One would think ſo; for it is not often within the Capacity of a Jury to diſtinguiſh the Signification of the different and hard Names which are given by Lawyers to the killing of a Man; as Murder and Felony, which neither the Laws, nor the Makers of the Laws, have yet defined. The Witneſſes ſay, that thus and thus the Perſon did, but not that it was Murder or Felony; no more can the Jury ſay, who ought to ſay nothing but what they hear from the Witneſſes, or from the Priſoner. Nor ought the Judge to ground his Sentence upon any thing elſe, beſides the ſpecial Matter found, which according as it is contrary, or not contrary to the Statute, ought to be pronounced.

La. But I have told you, that when the Jury has found Misfortune, or *ſe defendendo,* there is no Judgment at all to be given, and the Party is to be pardoned of Courſe, ſaving that he ſhall forfeit his Goods and Chattels, Debts and Duties, to the King.

Ph. But I underſtand not how there can be a Crime for which there is no Judgment, nor how any Puniſhment can be inflicted without a precedent Judgment, nor upon what Ground the Sheriff can ſeize the Goods of any Man, till it be judged that they be forfeited. I know that Sir *Edward Coke* ſaith, that in the Judgment of Hanging, the Judgment of Forfeiture is implied, which I underſtand not; though I underſtand well enough, that the Sheriff, by his Office, may ſeize the Goods of a Felon convicted; much leſs do I conceive how the Forfeiture of Goods can be imply'd in a No-judgment, nor do I conceive, that when the Jury has found the ſpecial Manner of the Fact to be ſuch, as is really no other than *ſe defendendo,* and conſequently, no Fault at all, why he ſhould have any Puniſhment at all. Can you ſhew me any Reaſon for it?

La. The Reaſon lies in the Cuſtom.

Ph. You know that unreaſonable Cuſtoms are not Law, but ought to be aboliſhed; and what Cuſtom is there more unreaſonable, than that a Man ſhould be puniſhed without a Fault?

La. Then ſee the Statute of 24 *Hen.* 8. *cap.* 5.

Ph. I find here, that at the making of this Statute there was a Queſtion amongſt the Lawyers, in caſe one Man ſhould kill another, that attempted feloniouſly to rob or murder him, in or near any common High-way, Court-way, Horſe-way, or Foot-way, or in his Manſion, Meſſuage, or Dwelling-place; whether, for the Death of ſuch a Man, one ſhall forfeit his Goods and Chattels, as a Man ſhould do for killing another by Chance-medley, or in his own Defence? This is the Preamble, and penned as well as Sir *Edward Coke* could have wiſhed; but this Statute does not determine, that a Man ſhould forfeit his Goods for killing a Man *ſe defendendo,* or for killing him by Misfortune; but ſuppoſeth it only upon the Opinion of the Lawyers that then were. The Body of the Statute is, that if a Man be indicted or appealed for the Death of ſuch Perſon ſo attempting as aforeſaid, and the ſame by Verdict be ſo found and tried, he ſhall not forfeit any thing, but ſhall be diſcharged, as if he had been found *not guilty.* You ſee the Statute, now conſider thereby in the Caſe of killing *ſe defendendo.* Firſt, if a Man kill another in his own Defence, it is manifeſt, that the Man ſlain did either attempt to rob, or to kill, or to wound him; for elſe it was not done in his own Defence. If then it were done in the Street, or near the Street, as in a Tavern, he forfeits nothing, becauſe the Street is a Highway. So likewiſe it is to be ſaid of all other Common-ways. In what Place therefore can a Man kill another in his own Defence, but that this Statute will diſcharge him of the Forfeiture?

La. But the Statute ſays the Attempt muſt be felonious.

Ph. When a Man aſſaults me with a Knife, Sword, Club, or other mortal Weapon, does any Law forbid me to defend myſelf, or command me to ſtay ſo long as to know whether he have a felonious Intent or no? Therefore by this Statute, in caſe it be found *ſe defendendo,* the Forfeiture is diſcharged; if it be found otherwiſe, it is capital. If we read the Statute of *Gloceſter, cap.* 9. I think it will take away the Difficulty: For by that Statute, in caſe it be found by the Country, that he did it in his own Defence, or by Miſfortune, then by the Report of the Juſtices to the King, the King ſhall take him to his Grace, if it pleaſe him. From whence it followeth, firſt, that it was then thought Law, that the Jury may give the general Verdict of *ſe defendendo*, which Sir *Edward Coke* denies. Secondly, that the Judge ought to report eſpecial Matter to the King. Thirdly, that the King may take him to his Grace, if he pleaſe, and conſequently, that his Goods are not to be ſeized, till the King (after the Report of the Judge heard) give the Sheriff Command to do it. Fourthly, that the general Verdict of the Jury hinders not the King, but that he may judge of it upon the ſpecial Matter; for it often happens, that an ill-diſpoſed Perſon provokes a Man with Words, or otherwiſe, on purpoſe to make him draw his Sword, that he may kill him, and pretend it done in his own Defence; which appearing, the King may, without any Offence to God, puniſh him as the Cauſe ſhall require. Laſtly (contrary to the Doctrine of Sir *Edward Coke)* he may in his own Perſon be Judge in the Caſe, and annul the Verdict of the Jury, which a deputed Judge cannot do.

La. There be ſome Caſes wherein a Man, though by the Jury he be found *not guilty*, ſhall nevertheleſs forfeit his Goods and Chattels to the King. For Example; a Man is ſlain, and one *A.* hating *B.* giveth out that it was *B.* that ſlew him: *B.* hearing thereof, fearing if he be try'd for it, that through the great Power of *A.* and others that ſeek his Hurt, he ſhould be condemned, flieth, and afterwards is taken, and try'd; and upon ſufficient Evidence is by the Jury found *not guilty*; yet becauſe he fled he ſhall forfeit his Goods and Chattels, notwithſtanding there be no ſuch Judgment given by the Judge, nor appointed by any Statute, but the Law itſelf authoriſeth the Sheriff to ſeize them to the Uſe of the King.

Ph. I ſee no Reaſon (which is Common Law) for it, and am ſure it is grounded upon no Statute.

La. See Sir *Edward Coke*, *Inſt. Sect.* 1. 709. and read.

Ph. If a Man that is innocent be accuſed of Felony, and for Fear flieth for the ſame; albeit that he be judicially acquitted of the Felony, yet if it be found that he fled for the ſame, he ſhall (notwithſtanding his Innocence) forfeit all his Goods and Chattels, Debts and Duties. O unchriſtian and abominable Doctrine! which alſo he in his own Words following contradicteth: For, ſaith he, as to the Forfeiture of them, the Law will admit no Proof againſt the Preſumption of the Law grounded upon his Flight, and ſo it is in many other Caſes: But that the general Rule is, *Quod ſtabitur præſumptioni, donec probetur in contrarium*, but you ſee it hath many Exceptions. This general Rule contradicts what he ſaid before; for there can be no Exceptions to a general Rule in Law, that is not expreſly made an Exception by ſome Statute, and to a general Rule of Equity there can be no Exception at all. From the Power of Puniſhing, let us proceed to the Power of Pardoning.

La. Touching the Power of Pardoning, Sir *Edward Coke* ſays, 3 *Inſt. p.* 236. That no Man ſhall obtain Charter of Pardon out of Parliament, and cites for it the Statute of 2 *Edw.* 3. *cap.* 2. and ſays farther, that accordingly in a Parliament Roll it is ſaid, that for the Peace of the Land it would help, that no Pardon were granted but by Parliament.

Ph What lawful Power would he have left to the King, that thus diſableth him to practiſe Mercy? In the Statute which he citeth, to prove that the King ought not to grant Charters of Pardon but in Parliament, there are no ſuch Words, as any Man may ſee; for that Statute is in Print; and that which he ſays is in the Parliament Roll, is but a Wiſh of he tells not whom, and not a Law; and 'tis ſtrange that a private Wiſh ſhould be inroll'd amongſt Acts of Parliament. If a Man do you an Injury, to whom (think you) belongeth the Right of pardoning it?

La. Doubtleſs to me alone, if to me alone be done that Injury; and to the King alone, if to him alone be done the Injury; and to both together, if the Injury be done to both.

Ph. What Part then has any Man in the granting of a Pardon, but the King and the Party wrong'd. If you offend no Member of either Houſe, why ſhould you aſk their Pardon. It is poſſible that a Man may deſerve a Pardon, or he may be ſuch a one ſometimes as the Defence of the Kingdom hath need of; may not the King pardon him, though there be no Parliament then ſitting? Sir *Edward Coke*'s Law is too general in this Point, and I believe, if he had thought on't, he would have excepted ſome Perſons, if not all the King's Children, and his Heir apparent; and yet they are all his Subjects, and ſubject to the Law as other Men.

La. But if the King ſhall grant Pardons of Murder and Felony, of his own Head, there would be very little Safety for any Man, either out of his Houſe, or in it, either by Night or by Day: And for that very Cauſe there have been many good Statutes provided, which forbid the Juſtices to allow of ſuch Pardons as do not ſpecially name the Crime.

Ph. Thoſe Statutes, I confeſs, are reaſonable, which forbid the Judge to pardon Murders, but what Satute is there that forbids the King to do it? There is a Statute of 13 *Rich.* II. *c.* 1. wherein the King promiſeth not to pardon Murder, but there is in it a Clauſe for the ſaving of the King's Regality. From which may be inferr'd, that the King did not grant away that Power, when he thought good to uſe it for the Commonwealth. Such Statutes are not Laws to the King, but to his Judges, and though the Judges be commanded by the King not to allow Pardons in many Caſes, yet if the King by writing command the Judges to allow them, they ought to do it. I think, if the King think in his Conſcience it be for the Good of the Commonwealth, he ſinneth not in it; but I hold not that the King may pardon him without Sin, if any other Man be damnified by the Crime committed, unleſs he cauſe Reparation to be made, as far as the Party offending can do it: And howſoever be it Sin, or not Sin, there is no Power in *England* that may reſiſt him, or ſpeak Evil of him lawfully.

La. Sir *Edw. Coke* denies not that; and upon that Gronnd it is that the King, he ſays, may pardon High Treaſon; for there can be no High Treaſon but againſt the King.

Ph. That's well; therefore he confeſſeth, that whatſoever the Offence be, the King may pardon ſo much of it as is an Injury to himſelf, and that by his own Right, without Breach of any Law, poſitive or natural, or of any Grant, if his Conſcience tell him that it be not to the Damage of the Commonwealth; and you know that to judge of what is Good or Evil to the Commonwealth, belongeth to the King only. Now tell me what it is which is ſaid to be pardoned?

La. What can it be but only the Offence? If a Man hath done a Murder and be pardoned for the ſame, is it not the Murder that is pardoned?

Ph. Nay, by your Favour, if a Man be pardoned for Murder or any other Offence, it is the Man that is pardoned, the Murder ſtill remains Murder. But what is Pardon?

La. Pardon (as Sir *Edw. Coke* ſays, 3 *Inſt.* p. 233) is deriv'd of *per* and *dono*, and ſignifies thoroughly to remit.

Ph. If the King remit the Murder and pardon the Man that did it, what does the Remiſſion ſerve for?

La. You know well enough that when we ſay a Murder, or any thing elſe is pardoned, all *Engliſhmen* underſtand thereby, that the Puniſhment due to the Offence is the Thing remitted.

Ph. But for our underſtanding of one another, you ought to have ſaid ſo at firſt. I underſtand now, that to pardon Murder or Felony, is thoroughly to ſave the Offender from all the Puniſhment due unto him by the Law for his Offence.

La. Not ſo; for Sir *Edw. Coke* in the ſame Chapter, p. 238. ſaith thus: A Man commits Felony, and is attainted thereof, or is abjur'd; the King pardoneth the Felony without any mention of the Attainder or Abjuration, the Pardon is void.

Ph. What is it to be attainted?

La. To be attainted is, that his Blood be held in Law as ſtained and corrupted; ſo that no Inheritance can deſcend from him to his Children, or to any that make Claim by him.

Ph. Is this Attaint a part of the Crime, or of the Puniſhment?

La. It cannot be a part of the Crime, becauſe it is none of his own Act; 'tis therefore a part of the Puniſhment, *viz* a Diſheriſon of the Offender.

Ph. If it be a part of the Puniſhment due, and yet not pardoned together with the reſt; then a Pardon is not a thorough remitting of the Puniſhment as Sir *Ed. Coke* ſays it is. And what is Abjuration?

La. When a Clerk heretofore was convicted of Felony, he might have ſaved his Life by abjuring the Realm; that is, by departing the Realm within a certain Time appointed, and taking an Oath never to return. But at this Day all Statutes for Abjuration are repeal'd.

Ph. That alſo is a Puniſhment, and by a Pardon of the Felony pardoned, unleſs a Statute be in force to the contrary. There is alſo ſomewhat in the Statute of 13 *Rich.* II. *c.* 1. concerning the Allowance of Charters of Pardons, which I underſtand not well. The Words are theſe; No Charter of Pardon henceforth ſhall be allowed before our Juſtices for Murder, or for the Death of a Man by await, or Malice prepens'd, Treaſon, or Rape of a Woman, unleſs the ſame be ſpecified in the ſame Charter; for I think it follows thence, that if the King ſay in his Charter, that he pardoneth the Murder, then he breaketh not the Statute, becauſe he ſpecifies the Offence; or if he ſaith, he pardoneth the killing by await, or of Malice prepenſed, he breaketh not the Statute, he ſpecifies the Offence. Alſo if he ſay ſo much as that the Judge cannot doubt of the King's Meaning to pardon him, I think the Judge ought to allow it, becauſe the Statute ſaveth the King's Liberty and Regality in that Point; that is to ſay, the Power to pardon him, ſuch as are theſe Words, notwithſtanding any Statute to the contrary, are ſufficient to cauſe the Charter to be allowed: For theſe Words make it manifeſt, that the Charter was not granted upon Surpriſe, but to maintain and claim the King's Liberty and Power to ſhew Mercy, when he ſeeth Cauſe. The like Meaning have theſe Words *Perdonavimus omnimodam interfectionem*; That is to ſay, we have pardoned the killing in what manner ſoever it was done. But here we muſt remember that the King cannot pardon, without Sin, any Damage thereby done to another Man, unleſs he cauſes Satisfaction to be made, as far as poſſibly the Offender can, but is not bound to ſatisfy Mens Thirſt of Revenge; for all Revenge ought to proceed from God, and under God from the King. Now (beſides in Charters) how are theſe Offences ſpecified?

La. They are ſpecified by their Names, as Treaſon, Petit Treaſon, Murder, Rape, Felony, and the like.

Ph. Petit Treaſon is Felony, Murder is Felony, ſo is Rape, Robbery and Theft, and (as Sir *Edw. Coke* ſays) Petit Larceny is Felony; now if in a Parliamentary Pardon, or in a Coronation Pardon all Felonies be pardoned; whether is Petit Larceny pardoned, or not?

La. Yes certainly, it is pardoned.

Ph. And yet you ſee it is not ſpecified, and yet it is a Crime that hath leſs in it of the Nature of Felony, than there is in Robbery. Do not therefore Rape, Robbery, Theft, paſs under the Pardon of all Felonies?

La. I think they are all pardoned by the Words of the Statute, but thoſe that are by the ſame Statute excepted; ſo that Specification is needful only in Charters of Pardon, but in general Pardons not ſo. For the Statute 13 *Rich.* II. *cap.* 1. forbids not the Allowance of Parliament Pardons, or Coronation Pardons, and therefore the Offences pardoned need not be ſpecified, but may paſs under the general Word of all Felonies. Nor is it likely that the Members of the Parliament who drew up their own Pardons, did not mean to make them as comprehenſive as they could: And yet Sir *Edw. Coke*, 2 *Inſt. Sect.* 745. at the Word

Felony, ſeemeth to be of another Mind; for *Piracy* is one Species of *Felony*, and yet when certain *Engliſhmen* had committed *Piracy* in the laſt Year of Queen *Elizabeth*, and came home into *England*, in the beginning of the Reign of King *James*, truſting to his Coronation Pardon of all *Felonies*; they were indicted (Sir *Edw. Coke* was then Attorney General) of the *Piracy* before Commiſſioners according to the Statute of 28 *Hen.* VIII. and being found *Guilty* were hang'd. The reaſon he alledgeth for it is, that it ought to have been ſpecified by the Name of *Piracy* in the Pardon, and therefore the Pardon was not to be allowed.

Ph. Why ought it to have been ſpecified more than any other *Felony*? He ſhould therefore have drawn his Argument from the Law of Reaſon.

La. Alſo he does that; for the Trial (he ſays) was by the Common Law, and before Commiſſioners not in the Court of the Lord Admiral, by the Civil Law; therefore he ſays it was an Offence whereof the Common Law could not take notice, becauſe it could not be tried by twelve Men.

Ph. If the Common Law could not, or ought not to take notice of ſuch Offences, how could the Offenders be tried by twelve Men, and found *Guilty*, and hang'd, as they were? If the Common Law take no notice of *Piracy*, what other Offence was it for which they were hang'd? Is *Piracy* two *Felonies*, for one of which a Man ſhall be hang'd by the Civil Law, and for the other by the Common Law? Truly I never read weaker reaſoning in any Author of the Law of *England*, than in Sir *Edw. Coke*'s Inſtitutes, how well ſoever he could plead.

La. Though I have heard him much reprehended by others, as well as by you; yet there be many excellent things, both for Subtility and for Truth, in theſe his Inſtitutes.

Ph. No better things than other Lawyers have that write of the Law, as of a Science: His citing of *Ariſtotle*, and of *Homer*, and of other Books which are commonly read to Gownmen, do, in my Opinion, but weaken his Authority, for any Man may do it by a Servant; but ſeeing the whole Scene of that Time is gone and paſt, let us proceed to ſomewhat elſe. Wherein doth an Act of *Oblivion* differ from a Parliament Pardon?

La. This Word *Act of Oblivion* was never in our Law Books before the 12 *Car.* II. *cap.* 11. and I wiſh it may never come again; but from whence it came you may better know perhaps than I.

Ph. The firſt, and only *Act of Oblivion* that ever paſſed into a Law, in any State that I have read of, was that *Amneſtia*, or *Oblivion* of all Quarrels between any of the Citizens of *Athens*, at any Time before that Act, without all Exception of Crime, or Perſon. The Occaſion whereof was this. The *Lacedæmonians* having totally ſubdued the *Athenians*, entered into the City of *Athens*, and ordained that the People ſhould chooſe thirty Men of their own City to have the Sovereign Power over them. Theſe being choſen behav'd themſelves ſo outrageouſly, as cauſed a Sedition, in which the Citizens on both Sides were daily ſlain. There was then a diſcreet Perſon that propounded to each of the Parties this Propoſition, that every Man ſhould return to his own, and forget all that was paſt; which Propoſition was made, by Conſent on both Sides, into a publick Act, which for that Cauſe was called an *Oblivion*. Upon the like Diſorder happening in *Rome* by the Murder of *Julius Cæſar*, the like Act was propounded by *Cicero*, and indeed paſſed, but was within few Days after broken again by *Marcus Antonius*. In Imitation of this Act was made the Act of 12 *Car.* II. *cap.* 11.

La. By this it ſeems, that the Act of *Oblivion* made by King *Charles*, was no other than a Parliament Pardon, becauſe it containeth a great number of Exceptions, as the other Parliament Pardons do, and the Act of *Athens* did not.

Ph. But yet there is a Difference between the late Act of *Oblivion* made here, and an ordinary Parliament Pardon: For concerning a Fault pardoned in Parliament by a general Word, a Suit in Law may ariſe about this, whether the Offender ſender be ſignified by the Word, or not, as whether the Pardon of all *Felonies*, be a Pardon of *Piracy*, or not: For you ſee by Sir *Edw. Coke*'s Reports, that notwithſtanding a Pardon of *Felony*, a Sea *Felony* (when he was Attorney General) was not pardoned. But by the late Act of *Oblivion*, which pardoned all manner of Offences committed in the late Civil War, no Queſtion could ariſe concerning Crimes excepted. Firſt, becauſe no Man can by Law accuſe another Man of a Fact, which by Law is to be forgotten. Secondly, becauſe all Crimes may be alledged, as proceeding from the Licentiouſneſs of the Time, and from the Silence of the Law occaſion'd by the Civil War, and conſequently (unleſs the Offender's Perſon alſo were excepted, or unleſs the Crime were committed before the War began) are within the Pardon.

La. Truly I think you ſay right: For if nothing had been pardoned, but what was done by occaſion of the War, the raiſing of the War itſelf had not been pardoned.

Ph. I have done with Crimes and Puniſhments; let us come now to the Laws of *Meum* and *Tuum*.

La. We muſt then examine the Statutes.

Ph. We muſt ſo, what they command and forbid, but not diſpute of their Juſtice: For the Law of Reaſon commands that every one obſerve the Law which he hath aſſented to, and obey the Perſon to whom he hath promiſed Obedience and Fidelity. Then let us conſider next the Commentaries of Sir *Edw. Coke* upon *Magna Charta*, and other Statutes.

Ph. For the underſtanding of *Magna Charta*, it will be very neceſſary to run up into ancient Times, as far as Hiſtory will give us Leave, and conſider not only the Cuſtoms of our Anceſtors the *Saxons*, but alſo the Law of Nature (the moſt ancient of all Laws) concerning the Original of Government, and Acquiſition of Property, and concerning Courts of Judicature. And firſt, it is evident, that Dominion, Government, and Laws, are far more ancient than Hiſtory, or any other Writing, and that the Beginning of all Dominion amongſt Men was in Families; in which, firſt, the Father of the Family by the Law of Nature was abſolute Lord of his Wife and Children. Secondly, made what Laws amongſt them he pleaſed. Thirdly, was Judge of all their Controverſies. Fourthly, was not obliged by any Law of Man to follow any Counſel, but his own. Fifthly, What Land ſoever the Lord ſat down upon, and made uſe of for his own, and his Family's Benefit, was his Property by the Law of firſt Poſſeſſion, in Caſe it was void of Inhabitants before, or by the Law of War, in Caſe they conquer'd it. In this Conqueſt what Enemies they took and ſaved were their Servants: Alſo ſuch Men as wanting Poſſeſſions of Lands, but furniſhed with Arts neceſſary for Man's Life, came to dwell in the Family for Protection, became their Subjects, and ſubmitted themſelves to the Laws of the Family: And all this is conſonant, not only to the Law of Nature, but alſo to the Practice of Mankind ſet forth in Hiſtory Sacred and Prophane.

La. Do you think it lawful for a Lord that is the Sovereign Ruler of his Family, to make War upon another like Sovereign Lord, and diſpoſſeſs him of his Lands?

Ph. It is lawful, or not lawful, according to the Intention of him that does it. For, firſt, being a Sovereign Ruler, he is not ſubject to any Law of Man; and as to the Law of God, where the Intention is juſtifiable, the Action is ſo alſo. The Intention may be lawful in divers Caſes by the Right of Nature; one of thoſe Caſes is, when he is conſtrained to it by the Neceſſity of ſubſiſting. So the Children of *Iſrael*, beſides that their Leaders, *Moſes* and *Joſhua*, had an immediate Command from God to diſpoſſeſs the *Canaanites*, had alſo a juſt Pretence to do what they did from the Right of Nature, which they had to preſerve their Lives, being unable otherwiſe to ſubſiſt. And as their Preſervation, ſo alſo is their Security a juſt Pretence of invading thoſe whom they have juſt Cauſe to fear, unleſs ſufficient Caution be given to take away their Fear, which Caution (for any Thing I can yet conceive) is utterly impoſſible. Neceſſity and Security are the principal Juſtifications, before God, of beginning War. Injuries received juſtify a War defenſive; but for reparable Injuries, if Reparation be tendered, all Invaſion on that Title is Iniquity. If you need Examples either from Scripture or other Hiſtory, concerning this Right of Nature in making War, you are able enough from your Reading, to find them out at your Leiſure.

La. Whereas you ſay, that the Lands ſo won by the Sovereign Lord of a Family, are his in Propriety, you deny (methinks) all Property to the Subjects, how much ſoever any of them hath contributed to the Victory.

Ph. I do ſo, nor do I ſee any reaſon to the contrary: For the Subjects, when they come into the Family, have no Title at all to demand any part of the Land, or any thing elſe but Security, to which alſo they are bound to contribute their Strength, and, if Need be, their whole Fortunes: For it cannot be ſuppoſed that any one Man can protect all the reſt with his ſingle Strength: And for the Practice, it is manifeſt in all Conqueſts, the Land of the vanquiſhed is in the ſole Power of the Victor, and at his Diſpoſal. Did not *Joſhua* and the High Prieſt divide the Land of *Canaan* in ſuch Sort among the Tribes of *Iſrael*, as they pleaſed? Did not the *Roman* and *Grecian* Princes and States according to their own Diſcretion, ſend out the Colonies to inhabit ſuch Provinces as they had conquered? Is there at this Day among the *Turks* any Inheritor of Land, beſides the *Sultan?* And was not all the Land in *England* once in the Hands of *William* the Conqueror? Sir *Edw. Coke* himſelf confeſſes it; therefore it is an univerſal Truth, that all conquer'd Lands, preſently after Victory, are the Lands of him that conquer'd them.

La. But you know that all Sovereigns are ſaid to have a double Capacity; *viz.* a natural Capacity, as he is a Man, and a politic Capacity, as a King. In his politic Capacity I grant you, that King *William* the Conqueror was the proper, and only Owner of all the Land in *England*, but not in his natural Capacity.

Ph. If he had them in his politic Capacity, then they were ſo his own as not to diſpoſe of any Part thereof, but only to the Benefit of his People, and that muſt be either by his own, or by the People's Diſcretion; that is, by Act of Parliament. But where do you find that the Conqueror diſpoſed of his Lands (as he did ſome to *Engliſhmen*, ſome to *Frenchmen*, and ſome to *Normans)* to be holden by divers Tenures, as Knight Service, Soccage, *&c.* by Act of Parliament? Or, that he ever called a Parliament to have the Aſſent of the Lords and Commons of *England* in diſpoſing of thoſe Lands he had taken from them? Or for retaining of ſuch and ſuch Lands in his own Hands by the Name of Foreſts for his own Recreation, or Magnificence? You have heard perhaps that ſome Lawyers, or other Men reputed wiſe and good Patriots have given out, that all the Lands which the Kings of *England* have poſſeſſed, have been given them by the People, to the end that they ſhould therewith defray the Charges of their Wars, and pay the Wages of their Miniſters, and that thoſe Lands were gained by the People's Money; for that was pretended in the late Civil War, when they took from the King his Town of *Kingſton* upon *Hull*; but I know you do not think that the Pretence was juſt. It cannot therefore be denied, but that the Lands which King *William* the Conqueror gave away to *Engliſhmen* and others, and which they now hold by his Letters Patents, and other Conveyances, were properly, and really his own, or elſe the Titles of them that now hold them muſt be invalid.

La. I aſſent. As you have ſhewed me the Beginning of Monarchies, ſo let me hear your Opinion concerning their Growth.

Ph. Great Monarchies have proceeded from ſmall Families. Firſt, by War, wherein the Victor not only enlarged his Territory, but alſo the Number and Riches of his Subjects. As for other Forms of Commonwealths, they have been enlarged otherways. Firſt, by a voluntary Conjunction of many Lords of Families into one great Ariſtocracy. Secondly, by Rebellion proceeded firſt, *Anarchy*, and from *Anarchy* proceeded any Form that the Calamities of them that lived therein did prompt them to; whether it were that they choſe an hereditary King, or an elective King for Life, or that they agreed upon a Council of certain Perſons (which is *Ariſtocracy*) or a Council of the whole People to have the Sovereign Power, which is *Democracy*.

After the firſt manner, which is by War, grew up all the greateſt Kingdoms in the World, *viz.* the *Egyptian*, *Aſſyrian*, *Perſian*, and the *Macedonian Monarchy*; and ſo did the great Kingdoms of *England*, *France*, and *Spain*.

The ſecond manner was the Original of the *Venetian Ariſtocracy*. By the third Way, which is Rebellion, grew up divers great Monarchies, perpetually changing from one Form to another; as in *Rome* Rebellion againſt Kings produced *Democracy*, upon which the Senate uſurped under *Sylla*, and the People again upon the Senate under *Marius*, and the Emperor uſurped upon the People under *Cæſar* and his Succeſſors.

La. Do you think the Diſtinction between natural and politic Capacity is inſignificant?

Ph. No: If the Sovereign Power be in an Aſſembly of Men, that Aſſembly, whether it be *Ariſtocratical*, or *Democratical*, may poſſeſs Lands, but it is in their politic Capacity, becauſe no natural Man has any Right to thoſe Lands, or any part of them: in the ſame manner they can command an Act by Plurality of Commands, but the Command of any one of them is of no Effect. But when the Sovereign Power is in one Man, the natural and politic Capacity are in the ſame Perſon, and as to Poſſeſſion of Lands undiſtinguiſhable. But as to the Acts and Commands, they may be well diſtinguiſhed in this Manner: Whatſoever a Monarch does command, or do, by Conſent of the People of his Kingdom, may properly be ſaid to be done in his politic Capacity; and whatſoever he commands by Word of Mouth only, or by Letters ſignified with his Hand, or ſealed with any of his private Seals, is done in his natural Capacity: Nevertheleſs, his public Commands, though they be made in his politic Capacity, have their Original from his natural Capacity. For in making of Laws (which neceſſarily requires his Aſſent) his Aſſent is natural: Alſo thoſe Acts which are done by the King previouſly to the paſſing of them under the Great Seal of *England*, either by Word of Mouth, or Warrant under his Signet, or Privy Seal, are done in his natural Capacity; but when they have paſt the Seal of *England*, they are to be taken as done in his politic Capacity.

La. I think verily your Diſtinction is good: for natural Capacity, and politic Capacity, ſignify no more than private and public Right. Therefore leaving this Argument, let us conſider in the next Place, as far as Hiſtory will permit, what were the Laws and Cuſtoms of our Anceſtors.

Ph. The *Saxons*, as alſo all the reſt of *Germany*, not conquered by the *Roman* Emperors, nor compelled to uſe the imperial Laws, were a ſavage and heathen People, living only by War and Rapine; and as ſome learned Men in the *Roman* Antiquities affirm, had their Name of *Germans* from that their ancient Trade of Life, as if *Germans* and *Hommes de guerre* were all one. Their Rule over their Family, Servants and Subjects, was abſolute; their Laws no other than natural Equity; written Law they had little, or none, and very few there were in the Time of the *Cæſars* who could write or read. The Right to the Government was either paternal, or by Conqueſt, or by Marriages. Their Succeſſion to Lands was determined by the Pleaſure of the Maſter of the Family, by Gift, or Deed in his Life-time, and what Land they diſpoſed not of in their Life-time, deſcended after their Death to their Heirs. The Heir was the eldeſt Son; the Iſſue of the eldeſt Son failing, they deſcended to the younger Sons in their Order, and for want of Sons, to the Daughters jointly, as to one Heir, or to be divided amongſt them, and ſo to deſcend to their Heirs in the ſame manner: And Children failing, the Uncle by the Father's or Mother's ſide (according as the Lands had been the Father's or Mother's) ſucceeded to the Inheritance, and ſo continually to the next of Blood. And this was a natural Deſcent, becauſe naturally the nearer in Blood, the nearer in Kindneſs, and was held for the Law of Nature, not only amongſt the *Germans*, but alſo in moſt Nations before they had a written Law.

The Right of Government, which is called *Jus Regni*, deſcended in the ſame manner, except only that after the Sons, it came to the eldeſt Daughter firſt, and her Heirs; the Reaſon whereof was, that Government is indiviſible. And this Law continues ſtill in *England*.

La. Seeing all the Land which any Sovereign Lord poſſeſſed, was his own in Propriety; how came a Subject to have a Propriety in their Lands?

Ph. There be two ſorts of Propriety. One is, when a Man holds his Land from the Gift of God only, which Lands Civilians call *Allodial*, which in a Kingdom no Man can have but the King. The other is, when a Man holds his Land from another Man as given him, in reſpect of Service and Obedience to that Man, as a Fee. The firſt kind of Propriety is abſolute, the other is in a manner conditional, becauſe given for ſome Service to be done unto the Giver. The firſt kind of Propriety excludes the Right of all others; the ſecond excludes all other Subjects to the ſame Land, but not the Right of the Sovereign, when the common Good of the People ſhall require the Uſe thereof.

La. When thoſe Kings had thus parted with their Lands, what was left them for the Maintenance of their Wars, either offenſive or defenſive; or for the Maintenance of the Royal Family, in ſuch manner as not only becomes the Dignity of a Sovereign King, but is alſo neceſſary to keep his People from Contempt?

Ph. They have Means enough; and beſides what they gave their Subjects, had much Land remaining in their own Hands afforreſted for their Recreation: For you know very well, that a great Part of the Land of *England* was given for military Service to the great Men of the Realm, who were for the moſt part of the King's Kindred, or great Favourites, much more Land than they had need of for their own Maintenanee; but ſo charged with one, or many Soldiers, according to the Quantity of Land given, as there could be no want of Soldiers, at all Times, ready to reſiſt an invading Enemy: Which Soldiers thoſe Lords were bound to furniſh, for a Time certain, at their own Charges. You know alſo, that the whole Land was divided into Hundreds, and thoſe again into Decennaries; in which Decennaries all Men, even to Children of twelve Years of Age, were bound to take the Oath of Allegiance: And you are to believe, that thoſe Men that hold their Land by the Service of Huſbandry, were all bound with their Bodies and Fortunes, to defend the Kingdom againſt Invaders, by the Law of Nature: And ſo alſo ſuch as they called Villains, and held their Land by baſer Drudgery, were obliged to defend the Kingdom to the utmoſt of their Power. Nay, Women and Children, in ſuch a Neceſſity, are bound to do ſuch Service as they can, that is to ſay, to bring Weapons and Victuals to them that fight, and to dig: But thoſe that hold their Land by Service military, have lying upon them a greater Obligation: For read and obſerve the Form of doing Homage, according as it is ſet down in the Statute of 17 *Edw*. 2. which you doubt not was in Uſe before that Time, and before the Conqueſt.

La. "I become your Man for Life, for Member, and for worldly Honour, and "ſhall owe you my Faith for the Lands that I hold of you."

Ph. I pray you expound it.

La. I think it is as much as if you ſhould ſay, "I promiſe you to be at your "Command; to perform, with the Hazard of my Life, Limbs, and all my Fortune, as I have charged myſelf in the Reception of the Lands you have given "me, and to be ever faithful to you." This is the Form of Homage done to the King immediately; but when one Subject holdeth Land of another by the like military Service, then there is an Exception added; *viz*. Saving the Faith I owe to the King.

Ph. Did he not alſo take an Oath?

La. Yes; which is called the Oath of *Fealty*; "I ſhall be to you both faithful, "and lawfully ſhall do ſuch Cuſtoms and Services, as my Duty is to you at the "Terms aſſigned; ſo help me God, and all his Saints." But both theſe Services of Huſbandry were quickly after turned into Rents, payable either in Money, as in *England*; or in Corn, or other Victuals, as in *Scotland* and *France*. When the Service was military, the Tenant was for the moſt part bound to ſerve the King in his Wars with one or more Perſons, according to the yearly Value of the Land he held.

Ph. Were they bound to find Horſemen or Footmen?

La. I do not find any Law that requires any Man, in reſpect of his Tenancy, to ſerve on Horſeback.

Ph. Was the Tenant bound, in caſe he were called, to ſerve in Perſon?

La. I think he was ſo in the Beginning: For when Lands were given for Service Military, and the Tenant dying left his Son and Heir, the Lord had the Cuſtody both of Body and Lands till the Heir was twenty-one Years old; and the Reaſon thereof was, that the Heir till that Age of twenty-one Years, was preſum'd to be unable to ſerve the King in his Wars, which Reaſon had been inſufficient, if the Heir had been bound to go to the Wars in Perſon. Which (methinks) ſhould ever hold for Law, unleſs by ſome other Law it come to be altered. Theſe Services, together with other Rights, as Wardſhips, firſt Poſſeſſion of his Tenants Inheritance, Licenſes for Alienation, Felons Goods, Felons Lands, if they were holden of the King, and the firſt Year's Profit of the Lands, of whomſoever they were holden, Forfeitures, Amercements, and many other Aids, could not but amount to a very great yearly Revenue. Add to this all that which the King might reaſonably have impoſed upon Artificers and Tradeſmen (for all Men, whom the King protecteth, ought to contribute towards their own Protection) and conſider then whether the Kings of thoſe Times had not Means enough, and to ſpare, (if God were not their Enemy) to defend their People againſt Foreign Enemies, and alſo to compel them to keep the Peace amongſt themſelves.

Ph. And ſo had had the ſucceeding Kings, if they had never given their Rights away, and their Subjects always kept their Oaths and Promiſes. In what manner proceeded thoſe ancient *Saxons*, and other Nations of *Germany*, eſpecially the Northern Parts, to the making of their Laws?

La. Sir *Edw. Coke*, out of divers *Saxon* Laws gathered and publiſhed in *Saxon* and *Latin* by Mr. *Lambert*, inferreth, that the *Saxon* Kings, for the making of their Laws, called together the Lords and Commons, in ſuch manner as is uſed at this Day in *England*. But by thoſe Laws of the *Saxons* publiſhed by Mr. *Lambert*, it appeareth, that the Kings called together the Biſhops, and a great part of the wiſeſt and diſcreeteſt Men of the Realm, and made Laws by their Advice.

Ph. I think ſo; for there is no King in the World, being of ripe Years and ſound Mind, that made any Law otherwiſe; for it concerns them in their own Intereſt to make ſuch Laws as the People can endure, and may keep them without Impatience, and live in Strength and Courage to defend their King and Country againſt their potent Neighbours. But how was it diſcerned, and by whom was it determined, who were thoſe wiſeſt and diſcreeteſt Men? It is a hard Matter to know who is wiſeſt in our Times. We know well enough who chooſeth a Knight of the Shire, and what Towns are to ſend Burgeſſes to the Parliament; therefore if it were determined alſo in thoſe Days, who thoſe wiſe Men ſhould be, then, I confeſs, that the Parliaments of the old *Saxons*, and the Parliaments of *England* ſince are the ſame Thing, and Sir *Edw. Coke* is in the right. Tell me therefore, if you can, when thoſe Towns which now ſend Burgeſſes to the Parliament, began to do ſo, and upon what Cauſe one Town had this Privilege, and another Town, though much more populous, had not.

La. At what Time began this Cuſtom I cannot tell; but I am ſure it is more ancient than the City of *Saliſbury*; becauſe there come two Burgeſſes to Parliament for a Place near to it, called *Old Sarum*, which (as I rid in ſight of it) if I ſhould tell a Stranger that knew not what the Word *Burgeſs* meant, he would think were a couple of Rabbets, the Place looketh ſo like a Coney-Borough. And yet a good Argument may be drawn from thence, that the Townſmen of every Town were the Electors of their own Burgeſſes, and Judges of their Diſcretion; and that the Law, whether they be diſcreet or not, will ſuppoſe them to be diſcreet till the contrary be apparent. Therefore where it is ſaid, that the King called together the more diſcreet Men of his Realm; it muſt be underſtood of ſuch Elections as are now in uſe: By which it is manifeſt, that thoſe great and general Moots aſſembled by the old *Saxon* Kings, were of the ſame Nature with the Parliaments aſſembled ſince the Conqueſt.

Ph. I think your Reaſon is good: For I cannot conceive, how the King, or any other but the Inhabitants of the Boroughs themſelves, can take Notice of the Diſcretion, or Sufficiency of thoſe they were to ſend to the Parliament. And for the Antiquity of the Burgeſs Towns, ſince it is not mentioned in any Hiſtory, or certain Record now extant, it is free for any Man to propound his Conjecture. You know, that this Land was invaded by the *Saxons* at ſeveral Times, and conquered by Pieces in ſeveral Wars; ſo that there were in *England* many Kings at once, and every of them had his Parliament, and therefore according as there were more, or fewer walled Towns within each King's Dominion, his Parliament had the more, or fewer Burgeſſes: But when all theſe leſſer Kingdoms were joined into one, then to that one Parliament came Burgeſſes from all the Boroughs of *England*. And this perhaps may be the Reaſon, why there be ſo many more ſuch Boroughs in the Weſt, than in any Part of the Kingdom; the Weſt being more populous, and alſo more obnoxious to Invaders, and for that Cauſe having greater ſtore of Towns fortified. This I think may be the Original of that Privilege which ſome Towns have to ſend Burgeſſes to the Parliament, and others have not.

La. The Conjecture is not improbable, and for want of greater Certainty may be allowed. But ſeeing it is commonly receiv'd, that for the making of a Law, there ought to be had the Aſſent of the Lords Spiritual and Temporal; whom do you account in the Parliaments of the old *Saxons* for Lords Temporal, and whom for Lords Spiritual? For the Book called *The Mode of holding Parliaments*, agreeth punctually with the manner of holding them at this Day, and was written (as Sir *Edw. Coke* ſays) in the Time of the *Saxons*, and before the Conqueſt.

Ph. Mr. *Selden* (a greater Antiquary than Sir *Edw. Coke*) in the laſt Edition of his Book of Titles of *Honour* ſays, that that Book called the *Mode*, *&c.* was not written till about the Time of *Rich.* II. and ſeems to me to prove it. But howſoever that be, it is apparent by the *Saxon* Laws ſet forth by Mr. *Lambert*, that there were always called to the Parliament, certain great Perſons called Aldermen, *alias* Earls; and ſo you have a Houſe of Lords, and a Houſe of Commons. Alſo you will find in the ſame Place, that after the *Saxons* had received the Faith of Chriſt, thoſe Biſhops that were amongſt them, were always at the great Moots, in which they made their Laws.

Thus you have a perfect *Engliſh* Parliament, ſaving that the Name of Barons was not amongſt them, as being a *French* Title, which came in with the Conqueror.

* OF THE
LIFE and HISTORY
OF
THUCYDIDES.

We read of divers Men that bear the Name of *Thucydides.* There is *Thucydides* a *Pharſalian*, mentioned in the eighth Book of this Hiſtory; who was public Hoſt of the *Athenians* in *Pharſalus*, and chancing to be at *Athens*, at the Time that the Government of the Four hundred began to go down, by his Interpoſition and Perſuaſion, kept aſunder the *Factions* then arming themſelves, that they fought not in the City to the Ruin of the Commonwealth. There is *Thucydides* the Son of *Mileſias*, an *Athenian*, of the Town of *Alope*, of whom *Plutarch* ſpeaketh in the Life of *Pericles*; and the ſame in all Probability, that in the firſt Book of this Hiſtory, is ſaid to have had the Charge of forty Gallies, ſent againſt *Samos*, about twenty four Years before the beginning of this War. Another *Thucydides* the Son of *Ariſton*, an *Athenian* alſo, of the Town of *Acherdus*, was a Poet, though of his Verſes there be nothing extant. But *Thucydides* the Writer of this Hiſtory, an *Athenian* of the Town of *Halimus*, was the Son of *Olorus*, (or *Orolus*) and *Hegeſipyle*. His Father's Name is commonly written *Olorus*, though in the Inſcription on his Tomb, it was *Orolus*. Howſoever it be written, it is the ſame that was born by divers of the Kings of *Thrace*, and impoſed on him, with reſpect unto his Deſcent from them. So that though our Author (as *Cicero* ſaith of him, *Lib.* 2. *de Oratore)* had never written an Hiſtory, yet had not his Name not been extant, in regard of his Honour and Nobility. And not only *Plutarch*, in his Life of *Cimon*, but alſo all others that have touched this Point, affirm directly, that he was deſcended from the *Thracian* Kings. Adducing this for Proof, that he was of the Houſe of *Miltiades*, that famous General of the *Athenians* againſt the *Perſians* at *Marathon*; which they alſo prove by this, that his Tomb was a long time extant amongſt the Monuments of that Family. For near unto the Gate of *Athens*, called *Milirides*, there was a Place named *Coela*, and in it the Monuments called *Cimoniana*, belonging to the Family of *Miltiades*, in which none, but ſuch as were of that Family, might be buried. And amongſt thoſe was the Monument of *Thucydides*, with this Inſcription, *Thucydides Oroli Halimuſius*. Now *Miltiades* is confeſſed by all, to have deſcended from *Olorus*, King of *Thrace*, whoſe Daughter another *Miltiades*, Grandfather to this, married, and had Children by. And *Miltiades*, that won the memorable Victory at *Marathon*, was Heir to goodly Poſſeſſions, and Cities in the *Cherſoneſus* of *Thrace*, over which alſo he reigned. In *Thrace* lay alſo the Poſſeſſions of *Thucydides* and his wealthy Mines of Gold, as he himſelf profeſſeth in his Fourth Book. And although thoſe Riches might come to him by a Wife (as is alſo by ſome affirmed) which he married in *Scapte-Hyle*, a City of *Thrace*, yet even by that Marriage it appeareth, that his Affairs had a Relation to that Country, and that his Nobility was not there unknown. But in what Degree of Kindred *Miltiades* and he approached each other, is not any where made manifeſt. Some alſo have conjectured that he was of the Houſe of *Piſiſtratides*; the Ground of whoſe Conjecture hath been only this, That he maketh honourable mention of the Government of *Piſiſtratus*, and his Sons, and extenuateth the Glory of *Harmodius* and *Ariſtogiton*; proving that the State of *Athens* from the Tyranny of the *Piſiſtratides*, was falſly aſcribed to their Fact (which proceeded from private Revenge, in a Quarrel of Love) by which the Tyranny ceaſed not, but grew heavier to the State, till it was at laſt put down by the *Lacedæmonians*. But this Opinion, as it was not ſo well grounded, ſo neither is it ſo well received as the former.

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* This Diſcourſe is prefix'd to Mr. *Hobbes*'s Tranſlation of *Thucydides*.

Agreeable to his Nobility, was his Inſtitution in the Study of *Eloquence* and *Philoſophy*. For in *Philoſophy* he was the Scholar (as alſo was *Pericles* and *Socrates*) of *Anaxagoras*, whoſe Opinions, being of a Strain above the Apprehenſion of the Vulgar, procured him the Eſtimation of an *Atheiſt*, which Name they beſtowed upon all Men that thought not as they did of their ridiculous Religion; and in the End coſt him his Life. And *Socrates* after him, for the like Cauſes, underwent the like Fortune. It is not therefore to be much regarded, if this other Diſciple of his were by ſome reputed an *Atheiſt* too. For though he were none, yet it is not improbable, but by the Light of natural Reaſon, he might ſee enough in the Religion of theſe Heathens to make him think it vain and ſuperſtitious; which was enough to make him an *Atheiſt* in the Opinion of the People. In ſome Places of this Hiſtory, he noteth the Equivocation of the Oracles; and yet he confirmeth an Aſſertion of his own, touching the Oracle's Prediction. He taxeth *Niceas* for being too punctual in the Obſervation of the Ceremonies of their Religion, when he overthrew himſelf and his Army, and indeed the whole Dominion and Liberty of his Country by it. Yet he commendeth him in another Place for his worſhipping of the *Gods*, and ſaith in that Reſpect, he leaſt of all Men deſerved to come to ſo great a Degree of Calamity as he did. So that in his Writings our Author appeareth to be, on one Side, not ſuperſtitious; on the other Side, not an *Atheiſt*.

In *Rhetoric* he was the Diſciple of *Antiphon*, one (by his Deſcription in the Eighth Book of his Hiſtory) for Power of Speech almoſt a Miracle, and feared by the *People* for his Eloquence. Inſomuch as in his latter Days he lived retired, but ſo, as he gave Counſel to, and writ Orations for, other Men that reſorted unto him to that Purpoſe. It was he that contrived the depoſing of the *People*, and the ſetting up of the Government of the Four hundred. For which he alſo was put to Death, when the *People* again recovered their Authority; notwithſtanding that he pleaded his own Cauſe, the beſt of any Man to that Day.

It need not be doubted, but from ſuch a Maſter, *Thucydides* was ſufficiently qualified, to have become a great Demagogue, and of great Authority with the *People*. But it ſeemeth he had no Deſire at all to meddle in the Government, becauſe in thoſe Times it was impoſſible for any Man to give good and profitable Counſel for the Commonwealth, and not incur the Diſpleaſure of the *People*. For their Opinion was ſuch of their own Power, and of the Facility of atchieving whatſoever Action they undertook, that ſuch Men only ſwayed the Aſſemblies, and were eſteemed wiſe and good Commonwealth's Men, as did put them upon the moſt dangerous and deſperate Enterprizes. Whereas he that gave them temperate and diſcreet Advice, was thought a Coward, or not to underſtand, or elſe to malign their Power. And no marvel; for much Proſperity (to which they had now for many Years been accuſtomed) maketh Men in love with themſelves; and it is hard for any Man to love that Counſel which maketh him love himſelf the leſs. And it holdeth much more in a Multitude, than in one Man; for a Man that reaſoneth with himſelf will not be aſhamed to admit of timorous Suggeſtions in his Buſineſs, that he may the ſtronglier provide; but in public Deliberations before a Multitude, Fear, (which for the moſt part adviſeth well, though it execute not ſo) ſeldom or never ſheweth itſelf, or is admitted. By this Means it came to paſs amongſt the *Athenians*, who thought they were able to do any thing, that wicked Men and Flatterers drave them headlong into thoſe Actions that were to ruin them; and the good Men either durſt not oppoſe, or if they did, undid themſelves. *Thucydides* therefore, that he might not be either of them that committed, or of them that ſuffered Evil, forbore to come into the Aſſemblies, and propounded to himſelf a private Life, as far as the Eminency of ſo wealthy a Perſon, and the writing of the Hiſtory he had undertaken, would permit.

For his Opinion touching the Government of the State, it is manifeſt that he leaſt of all liked the *Democracy*. And upon divers Occaſions he noteth the Emulation and Contention of the Demagogues, for Reputation and Glory of Wit; with their croſſing of each other's Counſels, to the Damage of the Public; the Inconſtancy of Reſolutions, cauſed by the Diverſity of Ends, and Power of Rhetoric in the Orators; and the deſperate Actions undertaken upon the flattering Advice of ſuch as deſired to attain, or to hold what they had attained of Authority and Sway amongſt the common People. Nor doth it appear, that he magnifieth any where the Authority of the *Few*; amongſt whom he ſaith every one deſireth to be Chief, and they that are undervalued, bear it with leſs Patience than in a *Democracy*; whereupon Sedition followeth, and Diſſolution of the Government. He praiſeth the Government of *Athens*, when it was mixed with the *Few* and the *Many*; but more he commendeth it, both when *Piſiſtratus* reigned (ſaving when it was an uſurped Power) and when in the Beginning of this War, it was *Democratical* in Name, but in Effect *Monarchical* under *Pericles*. So that it ſeemeth that as he was of regal Deſcent, ſo he beſt approved of the *regal Government*. It is therefore no marvel, if he medled as little as he could in the Buſineſs of the Commonwealth, but gave himſelf rather to the Obſervation and Recording of what was done by thoſe that had the Managing thereof. Which alſo he was no leſs prompt, diligent, and faithful by the Diſpoſition of his Mind, than by his Fortune, Dignity, and Wiſdom, able to accompliſh. How he was diſpoſed to a Work of this Nature, may be underſtood by this, that when being a young Man he heard *Herodotus* the Hiſtoriographer reciting his Hiſtory in public, (for ſuch was the Faſhion both of that and many Ages after) he felt ſo great a Sting of Emulation, that it drew Tears from him, inſomuch as *Herodotus* himſelf took notice how violently his Mind was ſet on Letters, and told his Father *Olorus*. When the *Peloponneſian* War began to break out, he conjectured truly, that it would prove an Argument worthy his Labour: and no ſooner it began, than he began his Hiſtory; purſuing the ſame, not in that perfect manner, in which we ſee it now, but by way of Commentary, or plain Actions and Paſſages thereof, as from time to time they fell out, and came to his Knowledge. But ſuch a Commentary it was, as might perhaps deſerve to be preferred before a Hiſtory written by another. For it is very probable that the eighth Book is left the ſame it was when he firſt writ it, neither beautified with *Orations*, nor ſo well cemented at the *Tranſitions*, as the former ſeven Books are. And though he began to write as ſoon as ever the War was on foot, yet began he not to perfect and poliſh his Hiſtory, till after he was baniſhed.

For notwithſtanding his retired Life upon the Coaſt of *Thrace*, where his own Poſſeſſions lay, he could not avoid the Service of the State, which proved to him afterwards very unfortunate. For whilſt he reſided in the Iſle *Thaſus*, it fell out that *Braſidas* the *Lacedæmonian* beſieged *Amphipolis*, a City belonging to the *Athenians*, on the Confines of *Thrace* and *Macedony* diſtant from *Thaſus* about half a Day's Sail. To relieve which, the Captain thereof for the *Athenians* ſent to *Thucydides*, to levy a Power, and make haſte unto him (for *Thucydides* was one of the *Strategi*, that is, had Authority to raiſe Forces in thoſe Parts, for the Service of the Commonwealth.) And he did accordingly. But he came thither one Night too late, and found the City already yielded up. And for this he was afterwards baniſhed, as if he had let ſlip his Time through Negligence, or purpoſely put it off upon Fear of the Enemy. Neverthelеſs he put himſelf into the City of *Eion*, and preſerved it to the *Athenians*, with the Repulſe of *Braſidas*, which came down from *Amphipolis*, the next Morning, and beſieged it. The Author of his Baniſhment is ſuppoſed to have been *Cleon*, a moſt violent Sycophant in thoſe Times, and thereby alſo a moſt acceptable Speaker amongſt the People. For where Affairs ſucceed amiſs, tho' there want neither Providence, nor Courage in the Conduction, yet with thoſe that judge only upon Events, the Way to Calumny is always open, and *Envy*, in the Likeneſs of *Zeal* to the publick Good, eaſily findeth Credit for an Accuſation.

After his Baniſhment he lived in *Scapte-Hyle*, a City of *Thrace*, before mentioned, as *Plutarch* writeth; but yet ſo as he went abroad and was preſent at the Actions of the reſt of the War, as appeareth by his own Words in his fifth Book; where he ſaith, that he was preſent at the Actions of both Parts, and no leſs at thoſe of the *Peloponneſians*, by Reaſon of his Exile, than thoſe of the *Athenians*. During this Time alſo he perfected his Hiſtory, ſo far as is now to be ſeen; nor doth it appear that after his Exile he ever again enjoyed his Couutry. It is not clear in any Author, where, or when, or in what Year of his own Age, he died. Moſt agree that he died in Baniſhment; yet there be that have written, that after the Defeat in *Sicily*, the *Athenians* decreed a general Revocation of all baniſhed Perſons, except thoſe of the Family of *Piſiſtratus*; and that he then returned, and was afterwards put to Death at *Athens*. But this is very unlikely to be true, unleſs by *after* the Defeat in *Sicily*, be meant *ſo long after*, that it was alſo after the end of the *Peloponneſian* War, becauſe *Thucydides* himſelf maketh no mention of ſuch Return, though he outlived the whole War, as is manifeſt by his Words in the fifth Book. For he ſaith he lived in Baniſhment twenty Years after his Charge at *Amphipolis*; which happen'd in the eighth Year of this War, and in the whole laſted but twenty ſeven Years complete. And in another Place he maketh mention of the razing of the *Long-walls* between *Pieræus* and the City, which was the laſt Stroke of this War. They that ſay he died at *Athens*, take their Conjecture from his Monument which was there. But this is not a ſufficient Argument; for he might have been buried there ſecretly, (as ſome have written he was) tho' he died abroad; ſo that his Monument might be there, and (as others have affirmed) he not buried in it. In this Variety of Conjecture there is nothing more probable than that which is written by *Pauſanias*, where he deſcribeth the Monuments of the *Athenian* City, and ſaith thus. *The worthy Acts of* Oenobius, *in the Behalf of* Thucydides, *is not without Honour* (meaning he had a Statue.) *For* Oenobius *obtained to have a Decree paſſed for his Return*; *who returning was ſlain by Treachery, and his Sepulchre is near the Gate called* Melirides. He died, as ſaith *Marcellinus*, after the ſeven and fiftieth Year of his Age. And if it be true that is written by *A. Gellius* of the Ages of *Hellanicus*, *Herodotus*, and *Thucydides*, then died he not before the ſixty eighth Year. For if he were forty when the War began, and lived (as he did certainly) to ſee it ended, he might be more, but not leſs than ſixty eight Years of Age. What Children he left is not manifeſt. *Plato* in *Menone* maketh mention of *Mileſias* and *Stephanus*, Sons of a *Thucydides*, of a very noble Family; but it is clear that they were of *Thucydides*, the Rival of *Pericles*, both by the Name *Mileſias*; and becauſe this *Thucydides* alſo was of the Family of *Miltiades*, as *Plutarch* teſtifieth in the Life of *Cimon*. That he had a Son, is affirmed by *Marcellinus*, out of the Authority of *Polemon*, but of his Name there is no mention, ſave that a learned Man readeth there, in the Place of θεο.. (which is in the imperfect Copy) *Timotheus*. Thus much of the Perſon of *Thucydides*.

Now for his Writings, two Things are to be conſidered in them, *Truth* and *Elocution*. For in *Truth* conſiſteth the *Soul*, and in *Elocution* the *Body* of Hiſtory. The latter without the former, is but a Picture of Hiſtory, and the former without the latter, unapt to inſtruct. But let us ſee how our Author hath acquitted himſelf in both. For the Faith of this Hiſtory I ſhall have the leſs to ſay, in reſpect that no Man hath ever yet called it into queſtion. Nor indeed could any Man juſtly doubt of the Truth of that Writer, in whom they had nothing at all to ſuſpect of thoſe things that could have cauſed him either voluntarily to lie, or ignorantly to deliver an Untruth. He overtaſked not himſelf by undertaking a Hiſtory of Things done long before his Time, and of which he was not able to inform himſelf. He was a Man that had as much Means in regard both of his Digniry and Wealth, to find the Truth of what he relateth, as was needful for a Man to have. He uſed as much Diligence in ſearch of the Truth (noting every thing whilſt it was freſh in Memory, and laying out his Wealth upon Intelligence) as it was poſſible for a Man to uſe. He affected leaſt of any Man the Acclamations of popular Auditories, and wrote not his Hiſtory to win preſent Applauſe, as was the Uſe of that Age, but for a Monument to inſtruct Ages to come, which he profeſſeth himſelf, and intitleth his Book Κτῆμα ἐς ἀεὶ, *A Poſſeſſion for everlaſting.* He was far from the Neceſſity of ſervile Writers, either to fear or flatter. And whereas he may peradventure be thought to have been malevolent towards his Country, becauſe they deſerved to have him ſo, yet hath he not written any thing that diſcovereth any ſuch Paſſion. Nor is there any thing written of them that tendeth to their Diſhonour, as *Athenians*, but only as *People*; and that by the neceſſity of the Narration, not by any ſought Digreſſion. So that no Word of his, but their own Actions do ſometimes reproach them. In ſum, if the Truth of a Hiſtory did ever appear by the Manner of relating, it doth ſo in this Hiſtory; ſo coherent, perſpicuous, and perſuaſive is the whole Narration, and every Part thereof.

In the *Elocution* alſo; two Things are conſiderable, *Diſpoſition* or *Method*, and *Stile*. Of the *Diſpoſition* here uſed by *Thucydides*, it will be ſufficient in this Place briefly to obſerve only this: That in his Firſt Book, firſt he hath by way of *Exordium* derived the State of *Greece* from the Cradle to the vigorous Stature it then was at when he began to write; and next, declared the Cauſes, both *real* and *pretended*, of the War he was to write of; in the reſt, in which he handleth the War itſelf, he followeth diſtinctly and purely the Order of Time throughout; relating what came to paſs from Year to Year, and ſubdividing each Year into a Summer and Winter. The Grounds and Motives of every Action he ſetteth down before the Action itſelf, either narratively, or elſe contriveth them into the Form of *deliberative Orations*, in the Perſons of ſuch as from time to time bare Sway in the Commonwealth. After the Actions, when there is juſt Occaſion, he giveth his Judgment of them, ſhewing by what Means the Succeſs came either to be furthered or hindered. Digreſſions for Inſtruction's Cauſe, and other ſuch open Conveyances of Precepts (which is the Philoſopher's Part) he never uſeth, as having ſo clearly ſet before Mens Eyes the Ways and Events of good and evil Counſels, that the Narration itſelf doth ſecretly inſtruct the Reader, and more effectually than poſſibly can be done by Precept.

For his *Stile*, I refer it to the Judgment of divers ancient and competent Judges. *Plutarch* in his Book *De gloria Athenienſium*, ſaith of him thus: Thucydides *aimeth always at this, to make his Auditor a Spectator, and to caſt his Reader into the ſame Paſſions that they were in that were Beholders. The Manner how* Demoſthenes *harangued the* Athenians *on the rugged Shore before* Pylus. *How* Braſidas *urged the Steerſman to run his Gally aground; how he went to the Ladder or Place in the Gally for Deſcent, how he was hurt, and ſwooned, and fell down on the Ledge of the Gally; how the* Spartans *fought after the Manner of a Land-fight upon the Sea, and the* Athenians *of a Sea-fight upon Land. Again, in the* Sicilian *War, how a Battle was fought by Sea and Land, with equal Fortune. Theſe Things, I ſay, are ſo deſcribed, and ſo evidently ſet before our Eyes, that the Mind of the Reader is no leſs affected therewith, than if he had been preſent in the Actions.* There is for his Perſpicuity. *Cicero*, in his Book intituled *Orator*, ſpeaking of the Affectation of divers *Greek* Rhetoricians, ſaith thus: *And therefore* Herodotus *and* Thucydides *are the more admirable. For though they lived in the ſame Age with thoſe I have before named, (meaning* Thraſymachus, Gorgius, *and* Theodorus) *yet were they far from this kind of Delicacy, or rather indeed Foolery. For the one without Rub, gently glideth like a ſtill River; and the other (meaning* Thucydides) *runs ſtronglier, and in Matter of War, as it were, bloweth a Trumpet of War. And in theſe two (as ſaith* Theophraſtus) *Hiſtory hath rowſed herſelf, and adventured to ſpeak, both more copiouſly, and with more Ornament than in thoſe that were before them.* This commends the Gravity, and the Dignity of his Language. Again, in his ſecond Book, *De Oratore*, thus: Thucydides *in the Art of Speaking, in my Opinion hath far exceeded them all. For he is ſo full of Matter, that the Number of his Sentences doth almoſt reach to the Number of his Words; and in his Words he is ſo apt, and ſo cloſe, that it is hard to ſay, whether his Words do more illuſtrate his Sentences, or his Sentences his Words.* There is for the Pithineſs and Strength of his Style. Laſtly, for the Purity and Propriety I cite *Dionyſius Halicarnaſſeus*, whoſe Teſtimony is the ſtronger in this Point, becauſe he was a *Greek* Rhetorician for his Faculty, and for his Affection, one that would no further commend him, than of Neceſſity he muſt. His Words are theſe, *There is one Virtue in Eloquence, the chiefeſt of all the reſt, and without which there is no other Goodneſs in Speech. What is that? That the Language be pure, and retain the Propriety of the* Greek *Tongue. This they both obſerve diligently. For* Herodotus *is the beſt Rule of the* Ionique, *and* Thucydides *of the* Antique *Dialect.* Theſe Teſtimonies are not needful to him that hath read the Hiſtory itſelf, not at all, but that the ſame *Dionyſius* hath taken ſuch Pains, and applied ſo much of his Faculty in Rhetoric to the extenuating of the Worth thereof; moreover I have thought it neceſſary to take out the principal Objections he maketh againſt him, and without many Words of mine own, to leave them to the Conſideration of the Reader. And firſt, *Dionyſius* ſaith thus: *The principal and moſt neceſſary Office of any Man that intendeth to write a Hiſtory, is to chuſe a noble Argument, and grateful to ſuch as ſhall read it. And this* Herodotus, *in my Opinion, hath done better than* Thucydides: *for* Herodotus *hath written the joint Hiſtory, both of the* Greeks *and* Barbarians, *to ſave from Oblivion,* &c. *But* Thucydides *writeth one only War, and that neither honourable nor fortunate, which principally were to be wiſhed never to have been; and next, never to have been remembered, nor known to Poſterity. And that he took an evil Argument in hand, he maketh it manifeſt in his Proem, ſaying,* That many Cities were in that War made deſolate, and utterly deſtroyed, partly by *Barbarians*, partly by the *Greeks* themſelves: ſo many Baniſhments, and ſo much Slaughter of Men as never was the like before, *&c. So that the Hearers will abhor it at the firſt propounding. Now by how much it is better to write of the wonderful Acts both of the* Barbarians *and* Grecians, *than of the pitiful and horrible Calamities of the* Grecians, *ſo much wiſer is* Herodotus *in the Choice of his Argument than* Thucydides.

Now let any Man conſider, whether it be not more reaſonable to ſay; *That the principal and moſt neceſſary of him that will write a Hiſtory, is to take ſuch an Argument as is both within his Power well to handle, and profitable to Poſterity that ſhall read it. Which* Thucydides, *in the Opinion of all Men, hath done better than* Herodotus. *For* Herodotus *undertook to write of thoſe Things, of which it was impoſſible for him to know the Truth; and which delight more the Ear with fabulous Narrations, than ſatisfy the Mind with Truth. But* Thucydides *writeth one War, which, how it was carried on from the Beginning to the End, he was able certainly to inform himſelf. And by propounding in his Proem, the Miſeries that happened in the ſame, he ſhewed that it was a great War, and worthy to be known, and not to be concealed from Poſterity, for the Calamities that then fell upon the* Grecians; *but the rather to be truly delivered unto them, for that Men profit more by looking on adverſe Events, than on Proſperity. Therefore by how much Mens Miſeries do better inſtruct than their good Succeſs, by ſo much was* Thucydides *more happy in taking his Argument, than* Herodotus *was wiſe in chuſing his.*

Dionyſius again ſaith thus: *The next Office of him that will write a Hiſtory, is to know where to begin, and where to end. And in this Point* Herodotus *ſeemeth to be far more diſcreet than* Thucydides. *For in the firſt Place he layeth down the Cauſe for which the* Barbarians *began to injure the* Grecians; *and going on, maketh an End at the Puniſhment, and the Revenge taken on the* Barbarians. *But* Thucydides *begins at the good Eſtate of the* Grecians, *which, being a* Grecian *and an* Athenian, *he ought not to have done; nor ought he, being of that Dignity amongſt the* Athenians, *ſo evidently to have laid the Fault of the War upon his own City, when there were other Occaſions enough to which he might have imputed it. Nor ought he to have begun with the*

the Buſineſs of the Corcyræans, *but at the more noble Acts of his Country, which they did immediately after the* Perſian *War, (which afterward in convenient Place he mentioneth, but it is but curſorily, and not as he ought). And when he had declared thoſe, with much Affection, as a Lover of his Country, then he ſhould have brought it in, how that the* Lacedæmonians, *through Envy and Fear, but pretending other Cauſes, began the War, and ſo have deſcended to the* Corcyræan *Buſineſs, and the Decree againſt the* Megareans, *or whatſoever elſe he had to put in. Then in the ending of his Hiſtory, there be many Errors committed. For though he profeſs he was preſent in the whole War, and that he would write it all, yet he ends with the naval Battle at* Cynoſſema, *which was fought in the twenty-firſt Year of the War; whereas it had been better to have gone through with it, and ended his Hiſtory with that admirable and grateful Return of the baniſhed* Athenians *from* Phile, *at which Time the City recovered her Liberty.*

To this I ſay, *That it was the Duty of him that had undertaken to write the Hiſtory of the* Peloponneſian *War, to begin his Narration no further off, than at the Cauſes of the ſame, whether the* Grecians *were then in good or evil Eſtate. And if the Injury, upon which the War aroſe, proceeded from the* Athenians, *then the Writer, though an* Athenian, *and honoured in his Country, ought to declare the ſame, and not to ſeek, nor take, though at hand, any other Occaſion to tranſfer the Fault. And that the Acts done before the Time comprehended in the War he writ of, ought to have been touched but curſorily, and no more than may ſerve for the enlightening of the Hiſtory to follow, how noble ſoever thoſe Acts have been. Which when he had thus touched, without Affection to either Side, and not as a Lover of his Country, but of Truth, then to have proceeded to the reſt, with the like Indifferency. And to have made an end of Writing where the War ended, which he undertook to write; not producing his Hiſtory beyond that Period, though that which followed were never ſo admirable and acceptable.* All this *Thucydides* hath obſerved.

Theſe two Criminations, I have therefore ſet down at large, tranſlated almoſt *verbatim*, that the Judgment of *Dionyſius Halicarnaſſeus* may the better appear, concerning the main and principal Virtues of a Hiſtory. I think there was never written ſo much Abſurdity in ſo few Lines. He is contrary to the Opinion of all Men that ever ſpake of this Subject beſides himſelf, and to common Senſe. For he makes the Scope of Hiſtory not profit by writing Truth, but Delight of the Hearer, as if were a Song. And the Argument of Hiſtory, he would not by any means have to contain the Calamities and Miſery of his Country, (theſe he would have buried in Silence) but only their glorious and ſplendid Actions. Amongſt the Virtues of an Hiſtoriographer, he reckons Affection to his Country; Study to pleaſe the Hearer; to write of more than his Argument leads him to; and to conceal all Actions that were not to the Honour of his Country. Moſt manifeſt Vices. He was a Rhetorician, and it ſeemeth he would have nothing written, but that which was moſt capable of rhetorical Ornament. Yet *Lucian*, a Rhetorician alſo, in a Treatiſe, intitled, *How a Hiſtory ought to be written*, ſaith thus: *That a Writer of Hiſtory, ought in his Writings to be a Foreigner, without Country, living under his own Law only, ſubject to no King, nor caring what any Man will like, or diſlike, but laying out the Matter as it is.*

The third Fault he finds, is this: That the Method of his Hiſtory is governed by the Time, rather than the Periods of ſeveral Actions. For he declares in Order what came to paſs each Summer and Winter, and is thereby forced ſometimes to leave the Narration of a Siege, or Sedition, or a War, or other Action, in the midſt, and enter into a Relation of ſomewhat elſe, done at the ſame time, in another Place, and to come to the former again when the Time requires it. This, ſaith he, cauſeth Confuſion in the Mind of his Hearer, ſo that he cannot comprehend diſtinctly the ſeveral Parts of the Hiſtory.

Dionyſius aimeth ſtill at the Delight of the *preſent* Hearer; though *Thucydides* himſelf profeſs that his Scope is not that, but to leave his Work for a *perpetual Poſſeſſion* to Poſterity. And then have Men Leiſure enough to comprehend him thoroughly. But indeed, whoſoever ſhall read him once attentively, ſhall more diſtinctly conceive of every Action this Way than the other; and the Method is more natural; for as much as his Purpoſe being to write of one *Peloponneſian* War, this way he hath incorporated all the Parts thereof into one Body, ſo that there is Unity in the whole, and the ſeveral Narrations are conceived only as Parts of that; whereas the other way, he had but ſowed together many little Hiſtories, and left the *Peloponneſian* War (which he took for his Subject) in a manner unwritten; for neither any part, nor the whole, could juſtly have carried ſuch a Title.

Fourthly, he accuſeth him for the Method of his Firſt Book, in that he deriveth *Greece* from the Infancy thereof to his own Time; and in that he ſetteth down the Narration of the Quarrels about *Corcyra* and *Potidæa*, before he entreateth of the true Cauſe of the War, which was the Greatneſs of the *Athenian* Dominion, feared and envied by the *Lacedæmonians*.

For anſwer to this, I ſay thus: For the mentioning of the ancient State of *Greece*, he doth it briefly, inſiſting no longer upon it than is neceſſary for the well underſtanding of the following Hiſtory. For without ſome general Notions of theſe firſt Times, many Places of the Hiſtory are the leſs eaſy to be underſtood, as depending upon the Knowledge of the Original of ſeveral Cities and Cuſtoms, which could not be all inſerted into the Hiſtory itſelf, but muſt be either ſuppoſed to be foreknown by the Reader, or elſe be delivered to him in the Beginning, as a neceſſary Preface. And for his putting firſt the Narration of the public and avowed Cauſe of this War, and after that the true and inward Motive of the ſame, the Reprehenſion is abſurd. For it is plain that a Cauſe of War, divulged and avowed, how ſlight ſoever it be, comes within the Taſk of the Hiſtoriographer no leſs than the War itſelf, for without a Pretext no War follows. This Pretext is always an Injury received, or pretended to be received. Whereas the inward Motive to Hoſtility is but conjectural, and not of that Evidence, that an Hiſtoriographer ſhould be always bound to take Notice of it; as Envy to the Greatneſs of another State, or Fear of an Injury to come. Now let any Man judge, whether a good Writer of Hiſtory ought to handle, as the principal Cauſe of War, proclaimed Injury, or concealed Envy. In a Word, the Image of the Method uſed by *Thucydides* in this Point, is this: *The Quarrel about* Corcyra, *paſſed on this Manner*; *and the Quarrel about* Potidæa, *on this Manner*; (relating both at large) *and in both, the* Athenians *were accuſed to have done the Injury. Neverthele ſs the* Lacedæmonians *had not upon this Injury entered into a War againſt them, but that they* envied *the Greatneſs of their* Power, *and feared the Conſequence of their* Ambition. I think a more clear and natural Order cannot poſſibly be deviſed.

Again he ſays, that he maketh a Funeral Oration (which was ſolemnly done on all Occaſions through the War) for fifteen Horſemen only, that were ſlain at the Brooks called *Rheiti*; and that for this Reaſon only, that he might make it in the Perſon of *Pericles*, who was then living, but before another the like Occaſion happened, was dead.

The Manner of the *Athenians* was, that they that were ſlain the firſt in any War, ſhould have a ſolemn Funeral in the Suburbs of the City. During this War, they had many Occaſions to put this Cuſtom in Practice. Seeing therefore it was fit to have that Cuſtom, and the Form of it, known, and that once for all, the Manner being ever the ſame, it was fitteſt to relate it on the firſt Occaſion, what Number ſoever they were that were then buried; which nevertheleſs is not likely to have been ſo few as *Dionyſius* ſaith. For the Funeral was not celebrated till the Winter after they were ſlain, ſo that many more were ſlain before this Solemnity, and may all be accounted amongſt the firſt. And that *Pericles* performed the Office of making their Funeral Oration, there is no Reaſon alledged by him why it ſhould be doubted.

Another Fault he finds in this; That he introduceth the *Athenian* Generals in a Dialogue with the Inhabitants of the Iſle of *Melos*, pretending openly for the

Cauſe of their Invaſion of that Iſle, the Power and Will of the State of *Athens*, and rejecting utterly to enter into any Diſputation with them concerning the Equity of their Cauſe; which he ſaith, was contrary to the Dignity of the State.

To this may be anſwered; That the Proceeding of theſe Generals was not unlike to divers other Actions, that the People of *Athens* openly took upon them; and therefore it is very likely they were allowed ſo to proceed. Howſoever, if the *Athenian People* gave in Charge to theſe their Captains, to take in the Iſland by all Means whatſoever, without Power to report back unto them firſt the Equity of the Iſlanders Cauſe, as is moſt likely to be true, I ſee then no Reaſon the Generals had to enter into Diſputation with them, whether they ſhould perform their Charge, or not, but only whether they ſhould do it by fair, or foul Means; which is the Point treated of in this Dialogue. Other Cavils he hath, touching the Matter and Order of this Hiſtory, but not needful to be anſwered.

Then for his Phraſe, he carpeth at it in infinite Places, both for obſcure and licentious. He that will ſee the particular Places he reprehendeth, let him read *Dionyſius* himſelf, if he will; for the Matter is too tedious for this Place. It is true, that there be ſome Sentences in him, ſomewhat long, not obſcure to one that is attentive; and beſides that, they are but few. Yet is this the moſt important Fault he findeth. For the reſt, the Obſcurity that is, proceedeth from the Profoundneſs of the Sentences, containing Contemplations of thoſe human Paſſions, which either diſſembled, or not commonly diſcourſed of, do yet carry the greateſt Sway with Men in their public Converſation. If then one cannot penetrate into them without much Meditation, we are not to expect a Man ſhould underſtand them at the firſt ſpeaking. *Marcellinus* ſaith, he was obſcure on purpoſe that the common People might not underſtand him. And not unlikely; for a wiſe Man ſhould ſo write (though in Words underſtood by all Men) that wiſe Men only ſhould be able to commend him. But this Obſcurity is not to be in the Narrations of Things done, nor in the Deſcriptions of Places, or of Battles; in all which *Thucydides* is moſt perſpicuous, as *Plutarch*, in the Words before cited, hath teſtified of him. But in the Characters of Mens Humours and Manners, and applying them to Affairs of Conſequence, it is impoſſible not to be obſcure to ordinary Capacities, in what Words ſoever a Man deliver his Mind; if therefore *Thucydides* in his Orations, or in the Deſcription of a Sedition, or other thing of that kind, be not eaſily underſtood, it is of thoſe only that cannot penetrate into the Nature of ſuch Things, and proceedeth not from any Intricacy of Expreſſion. *Dionyſius* further findeth Fault with his uſing to ſet Word againſt Word, which the *Rhetoricians* call *Antitheta*. Which, as it is in ſome kind of Speech a very great Vice, ſo is it not unproper in Characters; and of comparative Diſcourſes, it is almoſt the only Stile.

And whereas he further taxeth him for Licentiouſneſs in turning *Nouns* into *Verbs*, and *Verbs* into *Nouns*, and altering of *Genders*, *Caſes*, and *Numbers*, as he doth ſometimes for the more efficacy of his Stile, and without *Soleciſm*, I leave him to the Anſwer of *Marcellinus*; who ſays, *That* Dionyſius *findeth Fault with this, as being ignorant* (yet he was a profeſſed *Rhetorician) that this was the moſt excellent, and perfect kind of Speaking.*

Some Men may peradventure deſire to know, what Motive *Dionyſius* might have, to extenuate the Worth of him, whom he himſelf acknowledgeth to have been eſteemed by all Men for the beſt by far of all Hiſtorians that ever writ, and to have been taken by all the ancient *Orators* and *Philoſophers*, for the Meaſure and Rule of writing Hiſtory. What Motive he had to it, I know not; but what Glory he might expect by it, is eaſily known. For having firſt preferred *Herodotus*, his Countryman, a *Halicarnaſſian*, before *Thucydides*, who was accounted the beſt, and then conceiving that his own Hiſtory might perhaps be thought not inferior to that of *Herodotus*, by this Computation he ſaw the Honour of the beſt Hiſtoriographer falling on himſelf; wherein (in the Opinion of all Men) he hath miſreckoned. And thus much for the Objections of *Denis* of *Halicarnaſſe*.

It is written of *Demoſthenes*, the famous Orator, that he wrote over the Hiſtory of *Thucydides* with his own Hand, eight Times. So much was this Work eſteemed, even for the Eloquence. But yet was this his Eloquence not at all fit for the Bar, but proper for Hiſtory, and rather to be read than heard. For Words that paſs away (as in public Orations they muſt) without Pauſe, ought to be underſtood with Eaſe, and are loſt elſe; though Words that remain in Writing, for the Reader to meditate on, ought rather to be pithy and full. *Cicero* therefore doth juſtly ſet him apart from the Rank of Pleaders, but withal, he continually giveth him his Due for Hiſtory, *Lib.* 2. *De Oratore. What great Rhetorician ever borrowed any thing of* Thucydides? *Yet all Men praiſe him, I confeſs it, as a wiſe, ſevere, grave Relater of Things done; not for a Pleader of Cauſes at the Bar, but a Reporter of a War in Hiſtory. So that he was never reckoned an Orator, nor if he had never written a Hiſtory, had his Name therefore not been extant, being a Man of Honour and Nobility. Yet, none of them imitate the Gravity of his Words and Sentences; but when they have uttered a kind of lame and undigeſted Stuff, they preſently think themſelves Brothers of* Thucydides. Again, in his Book, *De optimo Oratore*, he ſaith thus: *But here will ſtand up* Thucydides: *For his Eloquence is by ſome admired; and juſtly. But this is nothing to the Orator we ſeek; for it is one thing to unfold a Matter by way of Narration, and another thing to accuſe a Man, or clear him by Arguments. And in Narrations, one thing to ſtay the Hearer; another to ſtir him. Lucian* in his Book intitled, *How a Hiſtory ought to be written*, doth continually exemplify the Virtues which he requires in an Hiſtoriographer by *Thucydides*. And if a Man conſider well that whole Diſcourſe of his, he ſhall plainly perceive, that the Image of this preſent Hiſtory, preconceived in *Lucian*'s Mind, ſuggeſted unto him all the Precepts he there delivereth. Laſtly, hear the moſt true and proper Commendation of him from *Juſtus Lipſius*, in his Notes to his Book *De Doctrina Civili*, in theſe Words: Thucydides, *who hath written, not many, nor very great Matters, hath perhaps yet won the Garland from all that have written of Matters, both many and great. Every where for Elocution grave; ſhort and thick with Senſe; ſound in his Judgments; every where ſecretly inſtructing, and directing a Man's Life and Actions. In his Orations and Excurſions almoſt Divine. Whom the oftener you read, the more you ſhall carry away, yet never be diſmiſſed without Appetite. Next to him is* Polybius, &c. And thus much concerning the *Life* and *Hiſtory* of *Thucydides*.

A
LETTER
CONCERNING
Sir *WILLIAM D'AVENANT*'s PREFACE before *GONDIBERT*.

SIR,

IF to commend your Poem, I ſhould only ſay (in general Terms) that in the Choice of your Argument, the Diſpoſition of the Parts, the Maintenance of the Characters of your Perſons, the Dignity and Vigour of your Expreſſion, you have performed all the Parts of various Experience, ready Memory, clear Judgment, ſwift and well-governed Fancy, though it were enough for the Truth, it were too little for the Weight and Credit of my Teſtimony. For I lie open to two Exceptions, one of an incompetent, the other of a corrupted Witneſs. Incompetent, becauſe I am not a Poet; and corrupted with the Honour done me by your Preface. The former obliges me to ſay ſomething (by the way) of the Nature and Differences of Poeſy.

As Philoſophers have divided the Univerſe (their Subject) into three Regions, *Celeſtial*, *Aerial*, and *Terreſtrial*; ſo the Poets (whoſe Work it is, by imitating human Life, in delightful and meaſur'd Lines, to avert Men from Vice, and incline them to virtuous and honourable Actions) have lodged themſelves in the three Regions of Mankind, *Court*, *City*, and *Country*, correſpondent in ſome Proportion, to thoſe three Regions of the World. For there is in Princes, and Men of conſpicuous Power (anciently called *Heroes)* a Luſtre and Influence upon the reſt of Men, reſembling that of the Heavens; and an Inſincereneſs, Inconſtancy, and troubleſome Humour of thoſe that dwell in populous Cities, like the Mobility, bluſtring, and Impurity of the Air; and a Plainneſs, and (though dull) yet a nutritive Faculty in rural People, that endures a Compariſon with the Earth they labour.

From hence have proceeded three ſorts of Poeſy, *Heroic*, *Scommatic*, and *Paſtoral*. Every one of theſe is diſtinguiſhed again in the manner of *Repreſentation*, which ſometimes is *Narrative*, wherein the Poet himſelf relateth; and ſometimes *Dramatic*, as when the Perſons are every one adorned and brought upon the Theatre, to ſpeak and act their own Parts. There is therefore neither more nor leſs than ſix ſorts of Poeſy. For the heroic Poem narrative (ſuch as is yours) is called an *Epic Poem*. The heroic Poem dramatic, is *Tragedy*. The ſcommatic narrative is *Satire*; dramatic is *Comedy*. The paſtoral Narrative is called ſimply *Paſtoral* (anciently *Bucolic)* the ſame dramatic, *Paſtoral Comedy*. The Figure therefore of an epic Poem, and of a Tragedy, ought to be the ſame, for they differ no more but in that they are pronounced by one and many Perſons. Which I inſert to juſtify the Figure of yours, conſiſting of five Books divided into Songs, or Cantos, as five Acts divided into Scenes, has ever been the approved Figure of a Tragedy.

They that take for Poeſy whatſoever is writ in Verſe, will think this Diviſion imperfect, and call in Sonnets, Epigrams, Eclogues, and the like Pieces (which are but Eſſays, and parts of an entire Poem) and reckon *Empedocles* and *Lucretius* (natural Philoſophers) for Poets, and the moral Precepts of *Phocylides Theognis*, and the Quatraines of *Pybrach*, and the Hiſtory of *Lucan*, and others of that kind amongſt Poems; beſtowing on ſuch Writers, for Honour, the Name of Poets, rather than of Hiſtorians or Philoſophers. But the Subject of a Poem is the Manners of Men, not natural Cauſes; Manners preſented, not dictated; and Manners feigned (as the Name of Poeſy imports) not found in Men. They that give Entrance to Fictions writ in Proſe, err not ſo much, but they err: For Proſe requireth Delightfulneſs, not only of Fiction, but of Stile; in which if Proſe contend with Verſe, it is with Diſadvantage, and, as it were, on Foot againſt the Strength and Wings of *Pegaſus*.

For Verſe amongſt the *Greeks* was appropriated anciently to the Service of their Gods, and was the holy Style; the Style of the Oracles; the Style of the Laws; and the Style of Men that publicly recommended to their Gods, the Vows and Thanks of the People; which was done in their holy Songs, called Hymns; and the Compoſers of them were called Prophets and Prieſts, before the Name of Poet was known. When afterwards the Majeſty of that Style was obſerved, the Poets choſe it as beſt becoming their high Invention. And for the Antiquity of Verſe, it is greater than the Antiquity of Letters. For it is certain, *Cadmus* was the firſt that (from *Phœnicia*, a Country that neighboureth *Judea)* brought the Uſe of Letters into *Greece*. But the Service of the Gods and the Laws (which by the meaſured Sounds were eaſily committed to the Memory) had been long time in Uſe, before the Arrival of *Cadmus* there.

There is, beſides the Grace of Style, another Cauſe why the ancient Poets choſe to write in meaſured Language, which is this: That their Poems were made at firſt with Intention to have them ſung, as well epic as dramatic, (which Cuſtom hath been long time laid aſide, but began to be revived in part, of late Years in *Italy)* and could not be made commenſurable to the Voice or Inſtruments, in Proſe; the Ways and Motions whereof are ſo uncertain and undiſtinguiſhed, like the Way and Motion of a Ship in the Sea, as not only to diſcompoſe the beſt Compoſers, but alſo to diſappoint ſometimes the moſt attentive Reader, and put him to hunt counter for the Senſe. It was therefore neceſſary for Poets in thoſe Times to write in Verſe.

The Verſe which the *Greeks* and *Latins*, conſidering the Nature of their own Languages, found by Experience moſt grave, and for an epic Poem moſt decent, was their *Hexameter*; a Verſe limited, not only in the Length of the Line, but alſo in the Quantity of the Syllables. Inſtead of which we uſe the Line of ten Syllables, recompenſing the Neglect of their Quantity with the Diligence of Rhyme. And this Meaſure is ſo proper to an heroic Poem, as, without ſome Loſs of Gravity and Dignity, it was never changed. A longer is not far from ill Proſe, and a ſhorter is a kind of whiſking, you know, like the unlacing rather than the ſinging of a Muſe. In an Epigram or a Sonnet, a Man may vary his Meaſures, and ſeek Glory from a needleſs Difficulty; as he that contrived Verſes into the Forms of an Organ, a Hatchet, an Egg, an Altar, and a Pair of Wings: but in ſo great and noble a Work as is an epic Poem, for a Man to obſtruct his Way with unprofitable Difficulties, is great Imprudence. So likewiſe to chuſe a needleſs and difficult Correſpondence of Rhyme, is but a difficult Toy, and forces a Man ſometimes for the ſtopping of a Chink, to ſay ſomewhat he did never think; I cannot therefore but very much approve your *Stanza*, wherein the Syllables in every Verſe are ten, and the Rhyme alternate.

For the Choice of your Subject, you have ſufficiently juſtified yourſelf in your Preface. But becauſe I have obſerved in *Virgil*, that the Honour done to *Æneas* and his Companions, has ſo bright a Reflexion upon *Auguſtus Cæſar*, and other great *Romans* of that Time, as a Man may ſuſpect him not conſtantly poſſeſſed with the noble Spirit of thoſe his *Heroes*, and believe you are not acquainted with any great Man of the Race of *Gondibert*, I add to your Juſtification the Purity of your Purpoſe, in having no other Motive of your Labour, but to adorn Virtue, and procure her Lovers; than which there cannot be a worthier Deſign, and more becoming noble Poeſy.

In that you make ſo ſmall Account of the Example of almoſt all the approved Poets, ancient and modern, who thought fit in the Beginning, and ſometimes alſo in the Progreſs of their Poems, to invoke a Muſe, or ſome other Deity, that ſhould dictate to them, or aſſiſt them in their Writings, they that take not the Laws of Art from any Reaſon of their own, but from the Faſhion of precedent Times, will perhaps accuſe your Singularity. For my part, I neither ſubſcribe to their Accuſation, nor yet condemn that heathen Cuſtom, otherwiſe than as acceſſary to their falſe Religion. For their Poets were their Divines; had the Name of Prophets; exerciſed among the People a kind of ſpiritual Authority; would be thought to ſpeak with a divine Spirit; have their Works which they write in Verſe (the divine Style) paſs for the Word of God, and not of Man; and to be hearkened to with Reverence. Do not the Divines, excepting the Style, do the ſame, and by us that are of the ſame Religion cannot juſtly be reprehended for it? Beſides, in the Uſe of the ſpiritual Calling of Divines, there is Danger ſometimes to be feared, from want of Skill, ſuch as is reported of unſkilful Conjurers, that miſtaking the Rites and ceremonious Points of their Art, call up ſuch Spirits, as they cannot at their Pleaſure allay again; by whom Storms are raiſed, that overthrow Buildings, and are the Cauſe of miſerable Wrecks at Sea. Unſkilful Divines do oftentimes the like, for when they call unſeaſonably for *Zeal*, there appears a Spirit of *Cruelty*; and by the like Error, inſtead of *Truth* they raiſe *Diſcord*; inſtead of *Wiſdom*, *Fraud*; inſtead of *Reformation*, *Tumult*; and *Controverſy* inſtead of *Religion*. Whereas in the heathen Poets, at leaſt in thoſe whoſe Works have laſted to the Time we are in, there are none of thoſe Indiſcretions to be found, that tended to Subverſion, or Diſturbance to the Commonwealths wherein they lived. But why a Chriſtian ſhould think it an Ornament to his Poem, either to prophane the true God, or invoke a falſe one, I can imagine no Cauſe, but a reaſonleſs Imitation of Cuſtom, of a fooliſh Cuſtom; by which a Man enabled to ſpeak wiſely from the Principles of Nature, and his own Meditation, loves rather to be thought to ſpeak by Inſpiration, like a Bagpipe.

Time and Education begets Experience; Experience begets Memory; Memory begets Judgment and Fancy; Judgment begets the Strength and Structure; and Fancy begets the Ornaments of a Poem. The Ancients therefore fabled not abſurdly, in making Memory the Mother of the Muſes. For Memory is the World (though not really, yet ſo as in a Looking-glaſs) in which the Judgment, the ſeverer Siſter, buſieth herſelf in a grave and rigid Examination of all the Parts of Nature, and in regiſtring by Letters, their Order, Cauſes, Uſes, Differences, and Reſemblances; whereby the Fancy, when any Work of Art is to be performed, finds her Materials at hand and prepared for Uſe, and needs no more than a ſwift Motion over them, that what ſhe wants, and is there to be had, may not lie too long unespied. So that when ſhe ſeemeth to fly from one *Indies* to the other, and from Heaven to Earth, and to penetrate into the hardeſt Matter, and obſcureſt Places, into the Future, and into herſelf, and all this in a Point of Time, the Voyage is not very great, herſelf being all ſhe ſeeks; and her wonderful Celerity conſiſteth not ſo much in Motion, as in copious Imagery diſcreetly ordered, and perfectly regiſtred in the Memory; which moſt Men under the Name of Philoſophy have a Glimpſe of, and is pretended to by many that groſly miſtaking her, embrace Contention in her Place. But ſo far forth as the Fancy of Man has traced the Ways of true Philoſophy, ſo far it hath produced very marvellous Effects to the Benefit of Mankind. All this is beautiful or defenſible in Building; or marvellous in Engines and Inſtruments of Motion; whatſoever Commodity Men receive from the Obſervations of the Heavens, from the Deſcription of the Earth, from the Account of Time, from walking on the Seas; and whatſoever diſtinguiſheth the Civility of *Europe*, from the Barbarity of the *American* Savages, is the Workmanſhip of Fancy but guided by the Precepts of true Philoſophy. But where theſe Precepts fail, as they have hitherto failed in the Doctrine of moral Virtue, there the Architect *(Fancy)* muſt take the Philoſopher's Part upon herſelf. He therefore that undertakes an heroic Poem (which is to exhibit a venerable and amiable Image of heroic Virtue) muſt not only be the Poet, to place and connect, but alſo the Philoſopher, to furniſh and ſquare his Matter; that is, to make both Body and Soul, Colour and Shadow of his Poem, out of his own Store: Which, how well you have performed, I am now conſidering.

Obſerving how few the Perſons be you introduce in the Beginning, and how in the Courſe of the Actions of theſe (the Number increaſing) after ſeveral Confluences, they run all at laſt into the two principal Streams of your Poem, *Gondibert* and *Oſwald*, methinks the Fable is not much unlike the Theatre. For ſo, from ſeveral and far diſtant Sources, do the leſſer Brooks of *Lombardy*, flowing into one another, fall all at laſt into the two main Rivers, the *Po* and the *Adice*. It hath the ſame Reſemblance alſo with a Man's Veins, which proceeding from different Parts, after the like Concourſe, inſert themſelves at laſt into the two principal Veins of the Body. But when I conſidered that alſo the Actions of Men, which ſingly are inconſiderable, after many Conjunctures, grow at laſt either into one great protecting Power, or into two deſtroying Factions, I could not but approve the Structure of your Poem, which ought to be no other than ſuch as an Imitation of human Life requireth.

In the Streams themſelves I find nothing but ſettled Valour, clean Honour, calm Counſel, learned Diverſion, and pure Love; ſave only a Torrent or two of Ambition, which, though a Fault, has ſomewhat heroic in it, and therefore muſt have place in an heroic Poem. To ſhew the Reader in what place he ſhall find every excellent Picture of Virtue you have drawn, is too long; and to ſhew him one, is to prejudice the reſt; yet I cannot forbear to point him to the Deſcription of Love in the Perſon of *Birtha*, in the ſeventh *Canto* of the ſecond Book. There has nothing been ſaid of that Subject neither by the ancient nor modern Poets comparable to it. Poets are Painters: I would fain ſee another Painter draw ſo true, perfect, and natural a Love to the Life, and make uſe of nothing but pure Lines, without the Help of any the leaſt uncomely Shadow, as you have done. But let it be read as a Piece by itſelf, for in the almoſt equal Height of the whole, the Eminence of Parts is loſt.

There are ſome that are not pleaſed with Fiction, unleſs it be bold; not only to exceed the *Work*, but alſo the *Poſſibility* of Nature: they would have impenetrable Armours, inchanted Caſtles, invulnerable Bodies, Iron Men, flying Horſes, and a thouſand other ſuch Things, which are eaſily feigned by them that dare. Againſt ſuch I defend you (without aſſenting to thoſe that condemn either *Homer* or *Virgil*) by diſſenting only from thoſe that think the Beauty of a Poem conſiſteth in the Exorbitancy of the Fiction. For as Truth is the Bound of hiſtorical, ſo the Reſemblance of Truth is the utmoſt Limit of poetical Liberty. In old Time amongſt the Heathen, ſuch ſtrange Fictions and Metamorphoſes were not ſo remote from the Articles of their Faith, as they are now from ours, and therefore were not ſo unpleaſant. Beyond the actual Works of Nature a Poet may now go; but beyond the conceived Poſſibility of Nature, never. I can allow a Geographer to make in the Sea, a Fiſh or a Ship, which by the Scale of his Map would be two or three hundred Mile long, and think it done for Ornament, becauſe it is done without the Precincts of his Undertaking; but when he paints an *Elephant* ſo, I preſently apprehend it as Ignorance, and a plain Confeſſion of *Terra incognita*.

As the Deſcription of great Men and great Actions is the conſtant Deſign of a Poet, ſo the Deſcriptions of worthy Circumſtances are neceſſary Acceſſions to a Poem, and being well performed, are the Jewels and moſt precious Ornament of Poeſy. Such in *Virgil* are the funeral Games of *Anchiſes*, the Duel of *Æneas* and *Turnus*, &c. and ſuch in yours are *the Hunting*, *the Battle*, *the City Morning*, *the*

Funeral, the Houſe of Aſtragon, *the Library,* and *the Temples,* equal to his, or thoſe of *Homer whom he imitated.*

There remains now no more to be conſidered but the Expreſſion, in which conſiſteth the Countenanee and Colour of a beautiful Muſe; and is given her by the Poet out of his own Proviſion, or is borrowed from others. That which he hath of his own, is nothing but Experience and Knowledge of Nature, and eſpecially human Nature; and is the true and natural Colour. But that which is taken out of Books (the ordinary Boxes of counterfeit Complexion) ſhews well or ill, as it hath more or leſs Reſemblance with the natural, and are not to be uſed, without Examination, unadviſedly. For in him that profeſſes the Imitation of Nature, as all Poets do, what greater Fault can there be, than to bewray an Ignorance of Nature in his Poem; eſpecially having a Liberty allowed him, if he meet with any thing he cannot maſter, to leave it out?

That which giveth a Poem the true and natural Colour conſiſteth in two things, which are, *to know well*; that is, to have Images of Nature in the Memory diſtinct and clear; and, *to know much.* A Sign of the firſt is Perſpicuity, Propriety, and Decency, which delight all ſorts of Men, either by inſtructing the Ignorant, or ſoothing the Learned in their Knowledge. A Sign of the latter is Novelty of Expreſſion, and pleaſeth by Excitation of the Mind; for Novelty cauſeth Admiration, and Admiration Curioſity, which is a delightful Appetite of Knowledge.

There be ſo many Words in uſe at this Day in the *Engliſh* Tongue, that, though of magnific Sound, yet, like the windy Bluſters of a troubled Water, have no Senſe at all; and ſo many others that loſe their Meaning, by being ill coupled, that it is a hard matter to avoid them; for having been obtruded upon Youth in the Schools, by ſuch as make it, I think, their Buſineſs there, as 'tis expreſt by the beſt Poet:

> *With Terms to charm the Weak, and poſe the Wiſe,*
> Gondibert, *lib.* I. *can.* 5.

they grow up with them, and gaining Reputation with the Ignorant, are not eaſily ſhaken off.

To this palpable Darkneſs, I may alſo add the ambitious Obſcurity of expreſſing more than is perfectly conceived; or perfect Conception in fewer Words than it requires. Which Expreſſions, though they have had the Honour to be called ſtrong Lines, are indeed no better than Riddles, and not only to the Reader, but alſo, after a little time, to the Writer himſelf dark and troubleſome.

To the Propriety of Expreſſion I refer that Clearneſs of Memory, by which a Poet when he hath once introduced any Perſon whatſoever, ſpeaking in his Poem, maintaineth in him to the End the ſame Character he gave him in the Beginning. The Variation whereof, is a Change of Pace, that argues the Poet tired.

Of the Indecencies of an heroic Poem, the moſt remarkable are thoſe that ſhew Diſproportion either between the Perſons and their Actions, or between the Manners of the Poet and the Poem. Of the firſt kind, is the Uncomelineſs of repreſenting in great Perſons the inhuman Vice of Cruelty, or the ſordid Vice of Luſt and Drunkenneſs. To ſuch Parts as thoſe the ancient approved Poets thought it fit to ſubborn, not the Perſons of Men, but of Monſters and beaſtly Giants, ſuch as *Polyphemus, Cacus,* and the *Centaurs.* For it is ſuppoſed a Muſe, when ſhe is invoked to ſing a Song of that Nature, ſhould maidenly adviſe the Poet, to ſet ſuch Perſons to ſing their own Vices upon the Stage; for it is not ſo unſeemly in a *Tragedy.* Of the ſame kind it is to repreſent Scurrility, or any Action or Language that moveth much Laughter. The Delight of an epic Poem conſiſteth not in Mirth, but Admiration. Mirth and Laughter is proper to *Comedy* and *Satire.* Great Perſons that have their Minds employed on great Deſigns, have not Leiſure enough to laugh, and are pleaſed with the Contemplation of their own Power and Virtues, ſo as they need not the Infirmities and Vices of other Men to recommend themſelves to their own Favour by Compariſon, as all Men do when they laugh. Of the ſecond kind, where the Diſproportion is between the Poet and the Perſons of his Poem, one is in the Dialect of the inferior ſort of People, which is always different from the Language of the Court. Another is to derive the Illuſtrations of any thing, from ſuch Metaphors or Compariſons as cannot come into Mens Thoughts, but by mean Converſation, and Experience of humble or evil Arts, which the Perſon of an epic Poem cannot be thought acquainted with.

From *knowing much*, proceedeth the admirable Variety and Novelty of Metaphors and Similitudes, which are not poſſible to be lighted on in the Compaſs of a narrow Knowledge. And the want whereof compelleth a Writer to Expreſſions that are either defaced by Time, or ſullied with vulgar or long Uſe. For the Phraſes of Poeſy, as the Airs of Muſic, with often hearing become inſipid, the Reader having no more Senſe of their Force, than our Fleſh is ſenſible of the Bones that ſuſtain it. As the Senſe we have of Bodies conſiſteth in Change and Variety of Impreſſion, ſo alſo does the Senſe of Language in the Variety and changeable Uſe of Words. I mean not in the Affectation of Words newly brought home from Travel, but in new, and withall ſignificant Tranſlation to our Purpoſes, of thoſe that be already received; and in far-fetch'd, but withall apt, inſtructive, and comely Similitudes.

Having thus, I hope, avoided the firſt Exception, againſt the Incompetency of my Judgment; I am but little moved with the ſecond, which is of being bribed by the Honour you have done me, by attributing in your Preface ſomewhat to my Judgment. For I have uſed your Judgment no leſs in many Things of mine, which coming to Light, will thereby appear the better. And ſo you have your Bribe again.

Having thus made Way for the Admiſſion of my Teſtimony, I give it briefly thus; I never yet ſaw Poem that had ſo much Shape of Art, Health of Morality, and Vigour and Beauty of Expreſſion, as this of yours. And but for the Clamour of the Multitude, that hide their Envy of the preſent, under a Reverence of Antiquity, I ſhould ſay further, that it would laſt as long as either the *Æneid* or *Iliad*, but for one Diſadvantage; and the Diſadvantage is this: The Language of the *Greeks* and *Romans*, by their Colonies and Conqueſts, have put off Fleſh and Blood, and are become immutable, which none of the modern Tongues are like to be. I honour Antiquity, but that which is commonly called *old Time*, is *young Time*. The Glory of Antiquity is due, not to the Dead, but to the Aged.

And now, whilſt I think on't, give me Leave with a ſhort Diſcord to ſweeten the Harmony of the approaching Cloſe. I have nothing to object againſt your Poem, but diſſent only from ſomething in your Preface, ſounding the Prejudice of Age. 'Tis commonly ſaid, that old Age is a Return to Childhood; which methinks you inſiſt on ſo long, as if you deſired it ſhould be believed. That's the Note I mean to ſhake a little. That Saying, meant only of the Weakneſs of Body, was wreſted to the Weakneſs of Mind, by froward Children, weary of the Controulment of their Parents, Maſters, and other Admonitors. Secondly, the Dotage and Childiſhneſs they aſcribe to Age, is never the Effect of Time, but ſometimes of the Exceſſes of Youth, and not a Returning to, but a continual Stay with Childhood. For they that wanting the Curioſity of furniſhing their Memories with the Rarities of Nature in their Youth, and paſs their Time in making Proviſion only for their Eaſe and ſenſual Delight, are Children ſtill, at what Years ſoever; as they that coming into a populous City, never going out of their Inn, are Strangers ſtill, how long ſoever they have been there. Thirdly, there is no reaſon for any Man to think himſelf wiſer To-day than Yeſterday, which does not equally convince he ſhall be wiſer To-morrow than To-day.

Fourthly, You will be forced to change your Opinion hereafter when you are old; and in the mean time you diſcredit all I have ſaid before in your Commendation, becauſe I am old already. But no more of this.

I believe, Sir, you have ſeen a curious kind of Perſpective, where, he that looks through a ſhort hollow Pipe, upon a Picture containing divers Figures, ſees none of thoſe that are there painted, but ſome one Perſon made up of their Parts, conveyed to the Eye by the artificial cutting of a Glaſs. I find in my Imagination an Effect not unlike it from your Poem. The Virtues you diſtribute there amongſt ſo many noble Perſons, repreſent, in the Reading, the Image but of one Man's Virtue to my Fancy, which is your own; and that ſo deeply imprinted, as to ſtay for ever there, and govern all the reſt of my Thoughts and Affections in the way of honouring and ſerving you, to the utmoſt of my Power, that am,

SIR,

Your moſt Humble and Obedient Servant,

Paris, Jan. 10.
1650.

THOMAS HOBBES.

The following Papers are Copies of two original Letters of Mr. *Hobbes*; the firſt to an unknown Friend of his in *England*; the other to the Reverend Mr. *George Glen*, Prebend of *Worceſter*, communicated by *William Standfaſt*, Doctor of Phyſic, Rector of *Clifton* in the County of *Nottingham*, to *Francis Peck*, Maſter of Arts, Rector of *Godeby*, near *Milton* in *Leiceſterſhire*, who publiſhed them in his *Deſiderata Curioſa*, Vol. I. Lib. vi. p. 23, 24.

Mr. THOMAS HOBBES, *to a Friend in* England.

WORTHY SIR,

I Have been behind-hand with you a long Time for a Letter I receiv'd of yours at *Angers*, that Place affording nothing wherewith to pay a Debt of that Kind. All Matter of News being ſooner known in *England* than there; and the News you writ me was of that Kind that none from *England* could be more welcome; becauſe it concerned the Honour of *Welbeck* and *Clifton*, two Houſes to which I am very much obliged.

Monſieur having given the Slip to the *Spaniards* at *Bruxelles*, came to the King about ten Days ago at St. *Germains*, where he was received with great Joy. The next Day the Cardinal entertained him at *Ruelle*; and the Day after that he went to *Limours*, where he is now, and from whence he goes very ſhortly to *Bloys*, to ſtay there this Winter. The Cardinal of *Lyons* is going to *Rome*, to treat about the annulling of Monſieur's Marriage, which is here by Parliament declared void, but yet they require the Sentence of the Pope. There goes ſomebody thither on the Part of his Wife, to get the Marriage approved; but who that is I know not. The *Swediſh* Party in *Germany* is in low Eſtate, but the *French* prepare a great Army for thoſe Parts, pretending to defend the Places which the *Swedes* have put into the King of *France* his Protection, whereof *Philipſbourgh* is one; a Place of Importance for the *Lower Palatinate*. This is all the *French* News.

For your Queſtion—*Why a Man remembers leſs his own Face, which he ſees often in a Glaſs, than the Face of a Friend that he has not ſeen of a great time?* My

Opinion in general is, that a Man remembers beſt thoſe Faces whereof he has had the greateſt Impreſſion, and that the Impreſſions are the greater for the oftener ſeeing them, and the longer ſtaying upon the Sight of them. Now, you know Men look upon their own Faces but for ſhort Fits, but upon their Friends Faces long time together, whilſt they diſcourſe or converſe together; ſo that a Man may receive a greater Impreſſion from his Friend's Face in a Day, than from his own in a Year: and according to this Impreſſion, the Image will be freſher in his Mind. Beſides, the Sight of one's Friend's Face two Hours together, is of greater Force to imprint the Image of it, than the ſame Quantity of Time by Intermiſſions. For the Intermiſſions do eaſily deface that which is but lightly imprinted. In general, I think that That laſteth longer in the Memory which hath been ſtronglier received by the Senſe.

This is my Opinion of the Queſtion you propounded in your Letter. Other new Truths I have none, at leaſt they appear not new to me. Therefore if this Reſolution of your firſt Queſtion ſeem probable, you may propound another, wherein I will endeavour to ſatisfy you, as alſo in any thing of any other Nature you ſhall command me, to my utmoſt Power; taking it for an Honour to be eſteemed by you, as I am, in Effect,

Your humble and faithful Servant,

Paris, Oct. $\frac{21}{31}$, 1694.

THO. HOBBES.

My Lord *Fielding* and his Lady came to *Paris* on *Saturday* Night laſt.

To my worthy Friend Mr. GLEN.

WORTHY SIR,

I Received here in *Florence*, two Days ſince, a Letter from you of the 19th of *January*. It was long by the Way; but when it came it did thoroughly recompenſe that Delay. For it was worth all the Pacquets I had received a great while together. All that paſſeth in theſe Parts is equally News, and therefore no News, elſe I would labour to requite your Letter in that Point, though in the handſome ſetting down of it I ſhould ſtill be inferior.

I long infinitely to ſee thoſe Books of the Sabbaoth, and am of your Mind they will put ſuch Thoughts into the Heads of vulgar People, as will confer little to their good Life. For when they ſee one of the Ten Commandments to be *jus humanum*, merely as it muſt be, if the Church can alter it, they will hope alſo that the other nine may be ſo too. For every Man hitherto did believe that the Ten Commandments were the moral, that is, the eternal Law.

I deſire alſo to ſee *Selden*'s *Mare Clauſum*, having already a great Opinion of it.

You may, perhaps, by ſome that go to *Paris*, ſend me thoſe of the Sabbaoth. For the other being in *Latin*, I doubt not but to find it in the *Rüe S. Jaques*.

We are now come hither from *Rome*, and hope to be in *Paris* by the End of *June*. I thank you for your Letter, and deſire you to believe, that I can never grow ſtrange to one, the Goodneſs of whoſe Acquaintance I have found by ſo much Experience. But I have to write to ſo many, that I write to you ſeldomer than I deſire; which I pray pardon, and eſteem me,

Your moſt affectionate Friend,

Florence, Apr. $\frac{6}{16}$, 1636.

and humble Servant,

THO. HOBBES.

My Lord, and Mr. *Nichols*, and all our Company, commend them to you.

* CONCERNING

The Virtues of an HEROIC POEM.

THE Virtues required in an Heroic Poem (and indeed in all Writings publiſhed) are comprehended all in this one Word, *Diſcretion.*

And Diſcretion conſiſteth in this, That every Part of the Poem be conducing, and in good Order placed, to the End and Deſign of the Poet. And the Deſign is not only to profit, but alſo to delight the Reader.

By Profit, I intend not here any Acceſſion of Wealth, either to the Poet, or to the Reader; but Acceſſion of Prudence, Juſtice, and Fortitude, by the Example of ſuch great and noble Perſons, as he introduceth ſpeaking, or deſcribeth acting. For all Men love to behold, though not to practiſe Virtue. So that at laſt the Work of an Heroic Poet, is no more but to furniſh an ingenuous Reader (when his Leiſure abounds) with the Diverſion of an honeſt and delightful Story, whether true or feigned.

But becauſe there be many Men called Critics and Wits, and Virtuoſi, that are accuſtomed to cenſure the Poets, and moſt of them of divers Judgments: How is it poſſible, you'll ſay, to pleaſe them all? Yes, very well; if the Poem be as it ſhould be. For Men can judge what is good, that know not what is beſt. For he that can judge what is beſt, muſt have conſidered all thoſe things, though they be almoſt innumerable, that concur to make the reading of an Heroic Poem pleaſant. Whereof I'll name as many as ſhall come into my Mind.

And they are contained, firſt, in the Choice of Words. Secondly, in the Conſtruction. Thirdly, in the Contrivance of the Story, or Fiction. Fourthly, in Elevation of Fancy. Fifthly, in the Juſtice and Impartiality of the Poet. Sixthly, in the Clearneſs of Deſcriptions. Seventhly, in the Amplitude of the Subject.

1. And, to begin with Words. The firſt Indiſcretion is, The Uſe of ſuch Words, as to the Readers of Poeſy (which are commonly Perſons of the beſt Quality) are not ſufficiently known. For the Work of an Heroic Poem is to raiſe Admiration (principally) for three Virtues, Valour, Beauty, and Love; to the reading whereof, Women no leſs than Men have a juſt Pretence, though their Skill in Language be not ſo univerſal. And therefore foreign Words, till by long Uſe they become vulgar, are unintelligible to them. Alſo the Names of Inſtruments and Tools of Artificers, and Words of Art, though of Uſe in the Schools, are far from being fit to be ſpoken by a Hero. He may delight in the Arts themſelves, and have Skill in ſome of them; but his Glory lies not in that, but in Courage, Nobility, and other Virtues of Nature; or in the Command he has over other Men. Nor does *Homer* in any part of his Poem attribute any Praiſe to *Achilles*, or any Blame to *Alexander*, for that they had both learned to play upon the Guittarre. The Character of Words that become a Hero, are Propriety and Significancy, but without the Malice and Laſciviouſneſs of a Satire.

2. Another Virtue of an Heroic Poem, is the Perſpicuity and the Facility of Conſtruction, and conſiſteth in a natural Contexture of the Words, ſo as not to diſcover the Labour, but the natural Ability of the Poet; and this is uſually called a good Style. For the Order of Words, when placed as they ought to be, carries a Light before it, whereby a Man may foreſee the Length of his Period; as a Torch in the Night ſhews a Man the Stops and Unevenneſs in the Way. But when plac'd unnaturally, the Reader will often find unexpected Checks, and be forced to go

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* This was written by way of Preface to his Tranſlation of *Homer*.

back and hunt for the Senſe, and ſuffer ſuch Uneaſe, as in a Coach a Man unexpectedly finds it paſſing over a Furrow. And though the Laws of Verſe (which have bound the *Greeks* and *Latins* to Number of Feet, and Quantity of Syllables, and the *Engliſh* and other Nations to Number of Syllables and Rhyme) put great Conſtraint upon the natural Courſe of Language; yet the Poet having the Liberty to depart from what is obſtinate, and to chuſe ſomewhat elſe that is more obedient to ſuch Laws, and no leſs fit for his Purpoſe, ſhall not be (neither by the Meaſure, nor by the Neceſſity of Rhyme) excuſed, though a Tranſlator often may.

3. A third Virtue lies in the Contrivance. For there is Difference between a Poem and a Hiſtory in Proſe. For a Hiſtory is wholly related by the Writer; but in an Heroic Poem, the Narration is a great part of it, put upon ſome of the Perſons introduced by the Poet. So *Homer* begins not his *Iliad* with the Injury done by *Paris*, but makes it related by *Menelaus*, and very briefly, as a thing notorious; nor begins he his *Odyſſey* with the Departure of *Ulyſſes* from *Troy*, but makes *Ulyſſes* himſelf relate the ſame to *Alcinous*, in the midſt of his Poem; which I think much more pleaſant and ingenious, than a too preciſe and cloſe following of the Time.

4. A fourth is in the Elevation of Fancy, which is generally taken for the greateſt Praiſe of Heroic Poetry; and is ſo, when governed by Diſcretion. For Men more generally affect and admire Fancy, than they do either Judgment, or Reaſon, or Memory, or any other intellectual Virtue; and for the Pleaſantneſs of it, give to it alone the Name of Wit, accounting Reaſon and Judgment but for a dull Entertainment. For in Fancy conſiſteth the Sublimity of a Poet, which is that poetical Fury which the Readers for the moſt part call for. It flies abroad ſwiftly to fetch in both Matter and Words; but if there be no Diſcretion at home to diſtinguiſh, which are fit to be uſed, and which not, which decent, and which undecent, for Perſons, Times, and Places, their Delight and Grace are loſt. But if they be diſcreetly uſed, they are greater Ornaments of a Poem by much than any other. A Metaphor alſo (which is a Compariſon contracted into a Word) is not unpleaſant; but when they are ſharp and extraordinary, they are not fit for an Heroic Poem, nor for a public Conſultation, but only for an Accuſation or Defence at the Bar.

5. A fifth lies in the Juſtice and Impartiality of the Poet, and belongeth as well to Hiſtory as to Poetry. For both the Poet and the Hiſtorian write only (or ſhould do) Matter of Fact. And as far as the Truth of Fact can defame a Man, ſo far they are allowed to blemiſh the Reputation of Perſons. But to do the ſame upon Report, or by Inference, is below the Dignity not only of a Hero but of a Man. For neither a Poet nor an Hiſtorian ought to make himſelf an abſolute Maſter of any Man's good Name. None of the Emperors of *Rome*, whom *Tacitus* or any other Writer hath condemned, was ever ſubject to the Judgment of any of them, nor were they ever heard to plead for themſelves, which are things that ought to be antecedent to Condemnation. Nor was, I think, *Epicurus* the Philoſopher, who is tranſmitted to us by the Stoics for a Man of evil and voluptuous Life, ever called, convented, and lawfully convicted, as all Men ought to be, before they be defamed. Therefore 'tis a very great Fault in a Poet to ſpeak evil of any Man in their Writings hiſtorical.

6. A ſixth Virtue conſiſts in the Perfection and Curioſity of Deſcriptions, which the ancient Writers of Eloquence call *Icones*, that is, *Images*. And an Image is always a Part, or rather the Ground of a poetical Compariſon. As, for Example, when *Virgil* would ſet before our Eyes the Fall of *Troy*, he deſcribes perhaps the whole Labour of many Men together in the felling of ſome great Tree, and with how much ado it fell. This is the Image. To which if you but add theſe Words, So fell *Troy*, you have the Compariſon entire; the Grace whereof lieth in the Lightſomeneſs, and is but the Deſcription of all (even of the minuteſt) Parts of the Thing deſcribed; that not only they that ſtand far off, but alſo they that ſtand near, and look upon it with the oldeſt Spectacles of a Critic, may approve it. For a

Poet is a Painter, and ſhould paint Actions to the Underſtanding with the moſt decent Words, as Painters do Perſons and Bodies, with the choiceſt Colours, to the Eye; which if not done nicely, will not be worthy to be placed in a Cabinet.

7. The ſeventh Virtue, which lying in the Amplitude of the Subject, is nothing but Variety, and a Thing, without which, a whole Poem would be no pleaſanter than an Epigram, or one good Verſe; nor a Picture of a hundred Figures better than any one of them aſunder, if drawn with equal Art. And theſe are the Virtues which ought eſpecially to be looked upon by the Critics, in the comparing of the Poets, *Homer* with *Virgil*, or *Virgil* with *Lucan.* For theſe only, for their Excellency, I have read or heard compared.

If the Compariſon be grounded upon the firſt and ſecond Virtues, which conſiſt in known Words and Style unforced, they are all excellent in their own Language, though perhaps the *Latin* than the *Greek* is apter to diſpoſe itſelf into an Hexameter Verſe, as having both fewer Monoſyllables and fewer Polyſyllables. And this may make the *Latin* Verſe appear more grave and equal, which is taken for a kind of Majeſty; though in Truth there be no Majeſty in Words, but then when they ſeem to proceed from an high and weighty Employment of the Mind. But neither *Homer*, nor *Virgil*, nor *Lucan*, nor any Poet writing commendably (though not excellently) was ever charged much with unknown Words, or great Conſtraint of Style, as being a Fault proper to Tranſlators, when they hold themſelves too ſuperſtitiouſly to their Authors Words.

In the third Virtue, which is Contrivance, there is no doubt but *Homer* excels them all. For their Poems, except the Introduction of their Gods, are but ſo many Hiſtories in Verſe; where *Homer* has woven ſo many Hiſtories together, as contain the whole Learning of his Time (which the *Greeks* call *Cyclopedia)* and furniſhed both the *Greek* and *Latin* Stages with all the Plots and Arguments of their Tragedies.

The fourth Virtue, which is the Height of Fancy, is almoſt proper to *Lucan*, and ſo admirable in him, that no heroic Poem raiſes ſuch Admiration of the Poet, as his hath done, though not ſo great Admiration of the Perſons he introduceth. And though it be a Mark of a great Wit, yet it is fitter for a Rhetorician than a Poet, and rebelleth often againſt Diſcretion, as when he ſays,

Victrix cauſa Diis placuit, ſed victa Catoni.

That is,

The Side that won, the Gods approved moſt;
But Cato *better lik'd the Side that loſt.*

Than which nothing could be ſpoken more glorioſly to the Exaltation of a Man, nor more diſgracefully to the Depreſſion of the Gods. *Homer* indeed maketh ſome Gods for the *Greeks*, and ſome for the *Trojans*; but always makes *Jupiter* impartial. And never prefers the Judgment of a Man before that of *Jupiter*; much leſs before the Judgment of all the Gods together.

The fifth Virtue, which is the Juſtice and Impartiality of a Poet, is very eminent in *Homer* and *Virgil*, but the contrary in *Lucan*. *Lucan* ſhews himſelf openly in the *Pompeyan* Faction, inveighing againſt *Cæſar* throughout his Poem, like *Cicero* againſt *Cataline* or *Marc Antony*; and is therefore juſtly reckon'd by *Quintilian* as a Rhetorician rather than a Poet. And a great part of the Delight of his Readers, proceedeth from the Pleaſure which too many Men take to hear great Perſons cenſured. But *Homer* and *Virgil*, eſpecially *Homer*, do every where what they can to preſerve the Reputation of the Heroes.

If we compare *Homer* and *Virgil* by the ſixth Virtue, which is the Clearneſs of Images, or Deſcriptions, it is manifeſt that *Homer* ought to be preferred, though *Virgil* himſelf were to be the Judge. For there are very few Images in *Virgil* beſides thoſe which he hath tranſlated out of *Homer*; ſo that *Virgil*'s Images are *Homer*'s Praiſes. But what if he have added ſomething to it of his own? Though he have, yet it is no Addition of Praiſe, becauſe 'tis eaſy. But he hath ſome Images which are not in *Homer*, and better than his. It may be ſo, and ſo many other Poets have which never durſt compare themſelves with *Homer*. Two or three fine Sayings are not enough to make a Wit. But where is that Image of his better done by him than *Homer*, of thoſe that have been done by them both? Yes, *Euſtathius* (as Mr. *Ogilby* hath obſerved) where they both deſcribe the falling of a Tree, prefers *Virgil*'s Deſcription. But *Euſtathius* is in that, I think, miſtaken. The Place of *Homer* is in the fourth of the *Iliads*, the Senſe whereof is this:

As when a Man hath fell'd a Poplar Tree,
Tall, ſtraight, and ſmooth, with all the fair Boughs on;
Of which he means a Coach-Wheel made ſhall be,
And leaves it on the Bank to dry i'th' Sun:
So lay the comely Simoiſius,
Slain by great Ajax, *Son of* Telamon.

It is manifeſt, that in this place *Homer* intended no more, than to ſhew how comely the Body of *Simoiſius* appeared, as he lay dead upon the Bank of *Scamander*, ſtraight and tall, with a fair Head of Hair, and like a ſtraight and high Poplar with the Boughs ſtill on; and not at all to deſcribe the manner of his falling, which, when a Man is wounded through the Breaſt, as he was with a Spear, is always ſudden.

The Deſcription of how a great Tree falleth, when many Men together hew it down, is in the ſecond of *Virgil*'s *Æneids*. The Senſe of it, with the Compariſon, is in *Engliſh* this:

And Troy, *methought, then ſunk in Fire and Smoke,*
And overturned was in every part:
As when upon the Mountain an old Oak
Is hewn about with keen Steel to the Heart,
And ply'd by Swains with many heavy Blows,
It nods, and every way it threatens round:
Till overcome with many Wounds it bows,
And leiſurely at laſt comes to the Ground.

And here again it is evident, that *Virgil* meant to compare the Manner how *Troy*, after many Battles, and after the Loſſes of many Cities, conquered by the many Nations under *Agamemnon* in a long War, and thereby weakened, and at laſt overthrown, like a great Tree hewn round about, and then falling by little and little leiſurely.

So that neither theſe two Deſcriptions, nor the two Compariſons, can be compared together. The Image of a Man lying on the Ground is one Thing; the Image of falling, eſpecially of a Kingdom, is another. This therefore gives no Advantage to *Virgil* over *Homer*. 'Tis true, that this Deſcription of the Felling and Falling of a Tree is exceeding graceful. But is it therefore more than *Homer* could have done, if need had been? Or is there no Deſcription in *Homer* of ſomewhat elſe as good as this? Yes, and in many of our *Engliſh* Poets now alive. If it then be lawful for *Julius Scaliger* to ſay, that if *Jupiter* would have deſcribed the Fall of a Tree, he could not have mended this of *Virgil*; it will be lawful for me to repeat an old Epigram of *Antipater*, to the like Purpoſe, in favour of *Homer*.

The Writer of the famous Trojan *War,*
And of Ulyſſes' *Life,* O Jove *make known!*

Who, whence he was; for thine the Verſes are,
And he would have us think they are his own.

The ſeventh and laſt Commendation of an heroic Poem conſiſteth in Amplitude and Variety; and in this *Homer* exceedeth *Virgil* very much, and that not by Superfluity of Words, but by Plenty of heroic Matter, and Multitude of Deſcriptions and Compariſons (whereof *Virgil* hath tranſlated but a ſmall part into his *Æneids)* ſuch as are the Images of Shipwrecks, Battles, ſingle Combats, Beauty, Paſſions of the Mind, Sacrifices, Entertainments, and other Things, whereof *Virgil*, abating what he borrows of *Homer*, has ſcarce the twentieth part. It is no Wonder therefore, if all the ancient learned Men both of *Greece* and *Rome*, have given the firſt place in Poetry to *Homer*. It is rather ſtrange, that two or three, and of late time, and but Learners of the *Greek* Tongue, ſhould dare to contradict ſo many competent Judges, both of Language and Diſcretion. But howſoever I defend *Homer*, I aim not thereby at any Reflection upon the following Tranſlation. Why then did I write it? Becauſe I had nothing elſe to do. Why publiſh it? Becauſe I thought it might take off my Adverſaries from ſhewing their Folly upon my more ſerious Writings, and ſet them upon my Verſes to ſhew their Wiſdom. But why without Annotations? Becauſe I had no Hope to do it better than it is already done by Mr. *Ogilby*.

T. HOBBES.

TO THE

NOBLE LORD

WILLIAM

Earl of *Devonſhire*,

oncerning the Wonders of the *Peak*.

A POEM.

ON th'*Engliſh Alps*, where *Derby*'s Peak doth riſe,
High up in Hills that emulate the Skies,
nd largely waters all the Vales below,
ith Rivers that ſtill plentifully flow,
oth [a] *Chatſworth* by ſwift [b] *Derwin*'s Channel ſtand,
m'd for its Pile, and Lord, for both are grand.
owly the River by its Gates doth paſs,
ere ſilent, as in Wonder of the Place,
t does from rocky Precipices move
rapid Streams below it, and above.
lofty Mountain guards the Houſe behind,
om the Aſſaults of the rough eaſtern Wind,
hich does from far its rugged Cliffs diſplay,
nd Sleep prolongs, by ſhutting out the Day.
hind, a pleaſant Garden does appear;
here the rich Earth breathes Odours every where;
here in the midſt of [c] Woods, the fruitful Tree
ears without Prune-hook, ſeeming now as free.
here by the thick-leav'd Roof the Walls are made,
pite of the Sun were all his Beams diſplay'd,
ore cool than the fam'd *Virgil*'s beechen Shade;
here Art (itſelf diſſembling) rough hewn Stone
nd craggy Flints worn out by dropping on,
ogether joining by the Workman's Tool,
akes horrid [d] Rocks, and watry Caverns coo.
he Water that from native Cliffs had Source
nce free and unconfin'd, throughout its Courſe,
y its own [e] Country Metal is led on
aptive to Rocks of artificial Stone,
There buried deep, its Streams it doubly throws
nto two circling Channels as it goes,
Through thouſand Crannies, which by Art it does,
Then girds the Rock with many a hollow [f] Vein,
Frightning all under with ſurpriſing Rain.
Thence turning it a Marble Font does ſtore,
Until its lofty Brims can hold no more,
And entering the Houſe, obſequious is
To Cook and Butler, in their Services;

And

AD

NOBILISSIMUM DOMINUM

GULIELMUM

Comitem *Devoniæ*, &c.

De Mirabilibus * Pecci.

CARMEN.

ALpibus *Angliacis, ubi* Pecci *nomine, ſurgit,*
Darbenſis *Regio, montes ad ſidera tollens,*
Fæcundaſque rigans, non uno flumine, valles,
Stat [a] Chatſworth *præclara domus, tum mole ſuperba,*
Tum Domino, Magnis, celerem [b] Deroentis *ad undam.*
Miranti ſimilis portam præterfluit Amnis,
Hic tacitus, ſaxis, infra ſupraque, ſonorus.
At Mons terga domûs rapidis defendit ab Euris,
Oſtendens longè exertis juga conſita ſaxis,
Præſectoque die, producens tempora ſomni.
Summovet à tergo rupes gratiſſimus hortus,
Pinguis odoratis ubi tellus floribus halat;
Arbor ubi in mediis [c] *ſilvis ſibi libera viſa,*
Dat fructus injuſſa ſuos; ubi frondea tecta
Arboreis præbent invito frigora ſole
* *Porticibus, potiora tuæ* (Maro) *tegmine fagi;*
Ars ubi (diſſimulans artem) ſimulavit (ineptos
Conſocians ferro lapides guttaque pereſos)
Informes [d] *ſcopulos, & frigida fontibus antra.*
Libera nativis *veniens a rupibus unda*
Accedit poſitis, [e] *patrio captiva metallo,*
Et tellure latens, duplicem jaculatur in orbem,
Juſſa, ſuum laticem per mille foramina cæca,
Et ſcopulum complexa tenacibus undique [f] *venis,*
Juſſa fugat miſſo ſubeuntes deſuper imbre.
Hinc avecta creat ſublimen marmore fontem,
Atque ingreſſa domum Promos conſerva Cocoſque

Ad-

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[a] *Chatſworth, Wonder* 1. [b] *Derwin.* [c] *Groves of Plum-trees.* [d] *Rocks made by Art, in Imitation of the natural.* [e] *Lead, which in that Country is digged out of the Earth.* [f] *With leaden Pipes.*

* The Peak. [a] Chatſworth, Mirab. 1. [b] Derwin. [c] Prunetis in ipſo horto, ſylvas imitantibus. * Ambulationibus. [d] Rupes arte compoſitas. [e] Plumbo quod in ea regione terra effoditur. [f] Tubulis plumbeis.

And guſhing up within the midſt does ſpout
His cryſtal Waters ev'ry where about,
Fit for the Hands, from the tall Ciſterns out.
And though to this but four Vents we aſſign,
[g] *Calliroe*'s not ſo fair that ſpouts from nine.
The River turning off a little Space,
Part of a Garden's ſeen that fronts the Place.
Two Rows of Cryſtal [h] Ponds here ſhine and dance
Which trembling wave the Sun-beams as they glance,
In which vaſt Shoals of Fiſhes wanton float,
Not conſcious of the Priſon where they're ſhut.
How does it pleaſe when as the Nymphs fling in
The Prey intic'd, to the bright Floods again,
T' obſerve the Methods that the Wantons uſe,
Firſt to inveigle Men, and then refuſe!
What can more grateful or ſurpriſing be,
Than Gardens pend'lous on high Mounts to ſee!
Within the midſt of all the Waters ſtand,
Cæſarian Piles built by a Woman's Hand,
Piles fit for Kings to build, and Monarchs rear,
In *Cavendiſian* Lordſhips do appear;
The petty Products of a female Care.
But of fam'd *Shrewſbury*'s great Counteſs this
The leaſt of thouſand Commendations is;
To whom vaſt Structures their Foundations own;
Who got great Wealth with great and good Renown;
Who by her Candour made all Friends in Power,
And with her Bounty ſhin'd upon the Lower;
Who left an [i] Offspring, numerous and great,
With which the joyful Nation's ſtill replete.
How ſweet it is upon the ſandy Shore
Of Cryſtal Pools, great Nature to explore!
Or to my Lord ſmall [k] Gifts of Verſe prefer,
Wherein thoſe happy Fields I may declare
Preſt by the Muſes, which ſtill urgent are.
A more commodious Soil they never knew,
Nor a more friendly Lord had Title to.
From hence, on riſing Ground, appears a neat
And fair Aſcent, up to the Palace Gate.
Royal, auguſt, ſublime without 'tis ſeen;
Large, neat, commodious, ſplendid, rich within.
What thou may'ſt find in Marble figur'd out
Of Poets Fables, or old Heroes ſtout.
Dwell not upon't, nor Cement hard as Stone,
Nor count the faithful Servants one by one;
But the great Maſter, celebrate my Muſe,
To whom deſcended from an ancient Houſe,
Devon gives princely Titles, *Derby* [l] Cares:
Who in a conſtant Breaſt, Diſcretion bears;
Magnificent, not laviſh, ſtill he ſpends
His Riches freely, and amongſt his Friends.
He of your Choir is the only Grace,
He for the Muſes finds a reſting Place,
And pleaſant Shades, and grateful Leiſure gives,
And he from them large Eloquence receives

With

Adjuvat; in mediis ſurgitque penaltibus, alto
Infudens nitidam manibus de marmore lympham.
Et quamvis tubulis tantum effluat illa quaternis
Non tam [g] Calliroe *pulchrè fluit* Enneacrune.
Rejecto paulum fluvio, ſeſe ingerit horti
Angulus alterius, tecta alta à fronte videntis.
Diſpoſita hic gemino colucent ordine [h] *ſtagna,*
Immerſum tremulis undis quatientia ſolem,
Queis magno numero ſalit & laſcivus inerrat
Non intellecto concluſus carcere piſcis.
Quàm juvat, hic, quoties piſcatrix candida prædam
Abjiciet illectam, morem obſervare puellis
Innatum, captare viros, & ſpernere captos!
Quàm libet in mediis mirari fluctibus, alto
Aggere ſuſpenſos hortos! quæ Cæſare *moles*
Digna Cavendiſiâ *certè eſt in gente, puſillum*
Fœmineumque opus. At quota pars ea laudis Eliza
Salopicæ? *quæ multa, & magna palatia ſtruxit;*
Magnas divitias, magnamque bonamque paravit
Famam; quæ magnos ſibi conciliavit amicos,
Ornavitque humiles; multam, magnamque reliquit
[i] *Prolem, qua regio late nunc uſque beatur.*
Quam dulce eſt, inter, circumque nitentia ſtagna
Inſternete vias, æſtivâ ſemper, arena,
Diſcipulum memet naturæ tradere rerum;
Aut Domino *exiguum meditari carmine* [k] Munus
Et multum Muſis, deſcribere rura, rogatis.
Commodiore loco non uſquam habitare, nec uſquam
Candidiore frui Muſæ conſentur amico.
Hinc, ad tecta, ſolo ſurgente, aſcenditur. Extra,
Auguſta aſpectu, ſublimia, regia; & intra
Commodo, culta, capacia, ſplendida ditia tecta.
At tu marmoreis quæ ſint deſcripta figuris
Ficta Poetarum, priſcorum aut facta virorum,
Ne cures, duro nec certans marmore Gypſum.
Ingenuos nec tu cupias numerare miniſtros;
Sed Dominum, mea Muſa, colas, cui gente vetuſtâ
Orto, dat titulos Devonia, Derbia [l] *Curas:*
Acrem judicio; conſtantem pectore; lautum;
Utentemque opibus, luxu ſine, & inter amicos.
Ille Chori veſtri decus; ille benigna
Otia dat Muſis; ſed & illi Muſa diſerto

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[g] *A Fountain ſacred amongſt the* Athenians, *flowing from nine Pipes.* [h] *Fiſh Ponds.* [i] *The Earls of* Devonſhire, Newcaſtle, *and* Kingſton, *Nephews to the Counteſs of* Shrewſbury. [k] This Poem. [l] *The Lieutenantſhip of the County of* Derby.

[g] Fons *Athenis* ſacer novem effluens fiſtulis. [h] Piſcinæ [i] Comites *Devoniæ, Novi-caſtri, Kingſtonæ,* nepotes Comitiſſæ *lopienſis.* [k] Hoc ipſum. [l] Præfecturam in agro *Derb*

With a diſcerning Mind, 'twixt Good, and Ill.
Next view his [m] Conſort wiſtly, view her ſtill,
Deſcended from the *Bruces* ancient Line,
Whoſe kingly Stock does in her Viſage ſhine.
Then view their noble Offspring ; but above
The reſt a [n] Nymph, whom *Jove* himſelf may love,
With two [o] ſweet Youths, who Angels might be ſaid,
The common Pledges of the Marriage Bed.
Theſe with their Parents may be wonder'd at ;
What elſe of Miracles thou may'ſt repeat,
Fall ſhort of theſe, and are not nigh ſo great.
Of the high Peak, are ſeven Wonders writ.
Two Fonts, two Caves, one Palace, Mount, and Pit.
To wit that ſtately Palace we have nam'd,
But now, is firſt among the ſeven fam'd.
O' th' reſt diſcourſing, ſome who long'd to know
The Cauſe of Things, to ſee them join to go ;
And I ('twas worth the while) amongſt them too.
'Twas at the Time the Earth did Tribute pay,
And the hot Sun the Dew had wip'd away
From off the Stubble, when we firſt begun
Our Journey, and to guide us hired one:
Thus we ſet forwards from the Gates, and make
Pilſly and *Haſſop* in a rugged Track.
From thence our Horſe with weary Feet and ſlow
Towards a ſteep Hill's high Top, do climbing go ;
And after many a Tug and weary Strain,
Half breathleſs, they the Summity do gain.
Turning about with Wonder we eſpy
The Birds now lazily to creep, not fly,
And that the Pico of the Mountain's Brow
Had pierc'd the Body of the Clouds quite through ;
Derwin appears but as a crooked Line,
And *Chatſworth* as a Point it doth entwine.
W'had gone but little farther, when we found
The Hill's ſoft Back, cut deep with many a Wound,
And did the Earth in whitiſh [p] Ranks eſpy
Caſt up in Heaps, upon the Surface lye.
'Tis a high Soil, but cover'd with a Cruſt
Of brittle Earth, ſoon crumbling into Duſt ;
Which leſt by it's own Weight it ſhould fall down,
Nature hath propt it with a Roof of Stone.
But the dark Prince of Wealth divides throughout,
In thouſand Channels, which himſelf had cut,
In order'd Ranks the Stone ; and each ſo drawn
From th'eaſtern Point, unto the weſtern one
You'd think they felt not the Effects alone
Of Heat and Warmth, but that they view'd the Sun.
The griping Hand of *Dis* within theſe Beds
Had ſtor'd of better Metals the crude Seeds,
To be hereafter to Perfection brought
By the Sun Beams, as they upon them wrought,
Till then for to be guarded by the Stone,
From all Aſſaults ſufficient Garriſon.
But all in vain, for neither can the Sun
With oblique Ray, bring to Concoction

Ore loqui, atque animo ſecernere turpia honeſtis.
Tum [m] *Dominam ſpectes, alta de gente* Bruſorum
Magnanimo proavos ſpirantem pectore Reges.
Amborumque vide Sobolem, imprimiſq; [n] *Puellam*
Dignam, qua caleant Superi, binoſq; [o] *Puellos*
Angelicos, caſti communia pignora lecti.
Hos tu mireris, ſobolemq; & utrumq; parentem ;
Cætera quæ referes miracula, ſunto minoris.
Alti *cenſenter ſeptem miracula* Pecci.
Ædes, Mons, Barathrum, *binus* Fons, Antraq; *bina.*
Scilicet illæ ipſæ, quas jam memoravimus, Ædes
Ornatæ, tot ſunt inter miracula, primæ.
Intra has, ne Reliquis orto ſermone quibuſdam
Eſt viſum, promptis rerum prediſcere cauſas,
Et mihi (namq; operæ pretium eſt) ea viſere mira.
Anni tempus erat quo tellus fænora ſolvit ;
Et vitreum ſectis abſterſerat altus ariſtis
Jam Phœbus *rorem, cum tecto excedimus, Ipſi,*
Duxq; viæ ſervuſq; (ſed ille vicarius) unus.
Egreſſi auferimur portis, petimuſque propinquam
Pilſley, *dein* Haſſop *ſalebroſo tramite. Montem*
Hinc celſum, acclivemque, gradu lento, & pede laſſo
Scandit equus, ſummumq; jugum mox calcat anhelus.
Converſi miramur aves jam repere ſegnes,
Atque humiles claro transfigi vertice nubes ;
Chatſworth *jam punctum,* Deroen *jam linea curva eſt.*
Vix iter inceptum ſequimur, cum levia montis
Aſpicimus crebro lacerari vulnere terga,
Lateque egeſta [p] *liratim, albeſcere terrâ.*
Eſt ſublime ſolum, tenuiq; friabile gleba ;
Quod ne quando ſua poſſit ſubſidere mole,
Natura ingenito ſuffulcit provida ſaxo.
At ſaxum innumeris diviſit in ordine rimis,
Ater opum Dominus ; cunctaſq; ita ſolis ab ortu,
Duxit in occaſum, non ut ſenſiſſe calentem
Lampada Phœbæam, ſed & aſpexiſſe putares.
Condidit his ſulcis melioris cruda metalli
Semina, ſolari poſt perficienda calore,
Tutanda interera duræ munimine rupis
Ditis *avara manus fruſtra. Nam nec ſatis igne*
Concoquit obliquo Sol Plumbi terrea fruſta,

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[m] Chriſtiana, *Counteſs of* Devonſhire.
[n] *The Lady* Ann Cavendiſh.
[o] William *now Earl of* Devonſhire *with his Brother* Charles.
[p] *They dig the Mines orderly in a parallel Line, they call them* the Rakes.

[m] *Chriſtianam* Comitiſſam *Devoniæ.*
[n] Dominam *Annam Cavendiſh.*
[o] *Gulielmum* nunc *Comitem* Devoniæ *cum Fratre* Carolo.
[p] Ordinatim, nam ſeries fodinarum unde hauritur plumbum, parallelæ ſunt, Anglicè vocantur *the Rakes.*

The rougher leaden Lump; nor is the Ground
Sufficient Guardian for it's Treaſure found.
For Man (Wealth's great Invader whereſoe'er
It hidden lies) with [q] Fire and Steel does tear
The Bowels of the Earth; and rends in twain
The ſtony Cover of the leaden Vein,
And boldly dares, if Poverty compel,
To rob th'Exchequer, of the Prince of Hell.
Not always without Danger; [r] two were caught
As in their Mother's Womb they deeply wrought
By Death; who ſuddenly o'erwhelm'd them there,
Where they themſelves had digg'd a Sepulchre.
The [s] Inlets (which with narrow Vents admit
But hardly down thoſe who are forc'd to it
By want, whoſe Bellies are by Hunger fit)
[u] With Beams of Wood the Natives ſtill diſtend,
And prop their Way, as to the Veins they bend.
A People expert in experienc'd Wo,
[w] Damn'd to the Mines, for many Years ago;
That all may ſee they fell not unawares,
But were long ſought for, by infernal Snares.
Which now the main Supporters take away
That did the Earth's weak brittle Surface ſtay,
And gather to the neighbouring Shades below
The Souls, preſt forth from their cruſt Bodies now.
Bodies by Bodies in theſe Deeps we ſound,
Thus Arrows loſt, are ſtill by Arrows found.
Before our Feet, a Corps digg'd up we ſee,
Which minds us what we are, or ought to be,
Much like the Body we about us bring.
T'other lies buried in the Earth, but ſtill
Hopes an [x] Extraction when 'tis Heaven's Will.
Upon the Earth that from the Mine was thrown,
A lazy People drawn from e'ery Town,
To ſee the mournful Spectacle came down.
Two Women weeping in the Croud we ſpy'd;
One for the Loſs of Joys that ſhe had try'd,
T'other for want of Hopes are now deny'd.
Ones Flame continual Uſe had near expir'd,
T'other with Itch of Novelty was fir'd.
Both mourn, becauſe that both their Joys have loſt,
But ſhe who laſt had taſted them, the moſt.
Let them ſtill mourn. We in our Way go on.
And now four thouſand Paces we had gone,
By our Horſe Feet we count, as oft the Stone
In equal Space each Foot proceeding ſtill
Before its Fellow, now hath felt their Heel.
Our Shadows go before, and ſhorteſt [y] ſhew
What Courſe the Sun bears, and what Courſe we go.
Many ſmall Villages on either Side
We leave behind us, as we onward ride.
The laſt is *Hope*; the reſt I'll not rehearſe,
Their Names are too too cumberſome for Verſe.
On

Nec cuſtodit humus ſibi credita. Viſcera terræ
(Certus opum quacunque latent regione repoſtæ,
Inſidiator) homo, ferro pervadit & [q] igne,
Saxea plumbiferæ reſcindit tegmina venæ
Exhauritque audax jam, paupertate jubente,
Tartarei prædo fiſcum ſpoliare Tyranni.
Haud impune aliquando; [r] duos telluris in imo
Deprenſos gremio, Mors occupat, atq; profundo
Oppreſſos tegit, ipſe quod fodêre, ſepulcro.
[s] Spiramenta (tubis ægrè admittentia [t] iniquis
Quos caſtigato detrudit inedia ventre)
Ligniculis intus [u] vincit, venamq; ſequutas
Materie foſſas ſuſtentat, gnara pericli,
Atq; experta, diu jam gens [w] damnata metallis;
Ut non incautos ſcires periiſſe, ſed Orco
Quæſitos. Terræ hic ſubducit fulcra caducæ,
Expreſſaſq; animas, vicinis congregat umbris.
Corpora corporibus quærunt. Sic credita ſæpe eſt
Emiſſa amiſſam monſtraſſe ſagitta ſagittam,
Ante pedes unum terra jacet ecce cadaver
Effoſſum; noſtriq; monet meminiſſe. Cadaver,
Marcida, iners, putris, noſtriq; ſimillima res eſt,
Alterum adhuc tectum tellure, [x] reſurgere corpus
Expectat. Sedet egeſtæ ſuper aggere terræ
Turba ſupina, locis ſpectatum egreſſa propinquis;
Plorauteſq; duæ mulieres. Altera ſueta
Gaudia perdiderat; ſpem amiſerat altera dulcem.
Alterius flammam, longus reſtinxerat uſus;
Alterius, ſpes effræniſq; libido ſciendi
Foverat ardentem. Plorant utræq; Maritum.
Illa quidem luget, luget magis altera ſponſum.
Deploranto. Viâ qua cœptum eſt pergimus ire
Jam pede mille quater paſſus numeramus equino.
Et toties ſocium ſpatiis pes quilibet æquis
Præteriens, terram alterno percuſſerat ictu.
Anteit umbra pedes, monſtratq; breviſſima, [y] qua fiat
Titan *parte poli, & quam nos ſpectamus euntes.*
Linquimus opidula hinc atq; illinc plurima. Quorum
Poſtremum tantum Romane dicere [*] Spes *eſt.*
Cætera non referam impedientia nomina verſum.
Per

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[q] *For the Stone wherein the Veins of Lead are contain'd, is ſometimes of that hardneſs, that it cannot be pierced but by Fire.* [r] *It happened as we paſt by, that of two that were overwhelmed in the Mines one was drawn up, the other ſearching for.* [s] Alias, *Air-Shafts.* [u] *To keep the Sides of the Vents from falling in.* [w] *Whom Want hath forced or condemned to undergo that Labour.* [x] *To be found and drawn out.* [y] *The Shadows at the ſhorteſt and caſt before us, ſhew the Sun to be come to the Meridian (a ſouth Sun) and that our Faces are turn'd towards the North the North.*

[q] Nam ſaxum quo plumbi venæ continentur, eâ eſt aliquando duritie quæ non niſi igne vincitur. [r] Contigit pretereuntibus nobis, è duobus, qui ruinâ foveæ oppreſſi fuerant, unum extrahi, alterum quæri. [s] Fovearum ſpiracula. [t] Actis. [u] Conſtringit, ut diſtineantur foveæ latera. [w] Quam ad opera damnaverat paupertas. [x] Extrahi. [y] Umbra breviſſima, ante pedes projecta, arguit, & ſolem meridianum, & nos ad Aquilonem converſos.
[*] *Hope.*

On hollow Grouod, replete with Mines below,
And fill'd with Mortals, [a] high aloft we go.
The Horſe with haſty Feet beats on the Soil,
Redoubled ecchos from their Hoofs recoil.
And in an Hour's Space, or thereabout,
To a ſteep Mountain's Precipice we're brought,
It was great Odds we did not headlong go
Into the neighbouring Village ſtood below.
But we with winding Steeps, and wary Foot
Strive as we may with Safety, come unto't;
Firſt we the Sun upon our Right-hand place,
Then turning to the Left, with a ſoft Pace
We downwards going to our Feet confide.
Then again mounting on the Hill's left Side
Into the Village we ſecurely ride,
Which built on a high Rock commands the Sight
Of all the Paſſengers that travel by't;
Call'd from the Caſtle near it, *Caſtleton.*
Not famous for the warlike Deeds there done;
Not great, nor built with Art, nor ever could
Againſt the Cannon-ſhot itſelf uphold,
Nor yet impregnable to thoſe of old;
But ancient, and built up of Stone, it bears
The Injuries of Time, and Weather dares.
Under the Lords, that kept the Mines of Yore,
It might of Thieves repulſe the ſudden Power.
Behind a ruin'd Mountain does appear
Swelling into two Parts, which turgent are,
As when we bend our Bodies to the Ground,
The Buttocks amply ſticking out are found.
I'th'Midſt there is a Cave: and on each Hand
A lofty Rock does as Supporter ſtand
Of a vaſt Weight of Earth, which elſe would fall,
So to the Midſt with Safety guard us all.
And now we're come (I bluſhing muſt rehearſe)
As moſt does ſtile it to the [b] *Devil's Arſe*;
Peak's Arſe the Natives.
A noble Cave between two Rocks appears,
Unto the [c] Sun unknown, but to the Stars
Fearing to be immerg'd, and both the * Bears
Turn'd, in its Mouth with Horror does preſent:
Juſt like a Furnace, or as Hell they paint,
Swallowing with open Jaws the damned Croud,
After the Sentence is pronounc'd aloud.
On Horſeback we our Entrance make, and ſpy
Horſes within, and Haycocks mounted high.
But we with Wonder and Amaze admire
The tall prodigious rocky [d] Hemiſphere
How without Prop 'tis capable to bear
So vaſt a Weight, how it the Mountain ſtays,
And the eternal Geometrician praiſe.
Through the thick Arch, we ſee the Water ſtain'd
To fall in Drops, which on the Earth retain'd,
Even then to their own Country the Sea,
Seek out Returns with much Perplexity;
In little Channels even then they ſearch
For fellow Streams, to fortify their March.

From

Per loca tranſverſis longe lateq; fodinis
Plena, ſoloq; cavo, & pleno mortalibus intus,
Ingredimur [a] *ſuperi; medio tonat ungula Campo*
Feſtinantis equi; atq; una, aut paulo amplius, hora,
Præcipitis ferimur ſubita ad declivia Montis,
Pronum erat hinc vicum ſubjectum intrare cadendo.
Sed nobis ambage viam & cauto pede tritam
Ire placet; primumq; ad dextras Sole recepto,
Et mox converſis lævo deſcendere eodem,
Paulatim, & pedibus noſmet concredere noſtris.
Conſcenſis hic rurſus equis, ſub Monte ſiniſtro,
Intramus pagum qui ſumma in rupe locatum
Aſpectare jubet, * *deducto nomine, Caſtrum.*
Caſtrum non aliquo bellorum inſigne labore;
Non magnum, non arcis opus ſpectabile; noſtris
Impar tormentis, nec inexpugnabile priſcis;
Antiquum tamen, & ſaxo ſuper ædificatum,
Suſtinet annorum ventorum incommoda temnit.
Forſitan & Dominis ſub plumbi-potentibus olim
Latronum potuit ſubitos arcere tumultus.
A Caſtro *ſtatim mons ſciſſus, detumet ambas*
In partes; velut inclinato Corpore noſtro
In crura extantes deturgent utraq; clunes.
In medio ſinus eſt: atq; erectiſſima utrinq;
Rupes quæ ingenti redituram pondere terram
Deſtinet, & tutis ſuccedere ad intima præſtat.
Jam ventum eſt (pudet effari) [b] Plutonis *ad* anum,
(Ut vocitant pleriq;) loci vocat incola, Peak's ars.
Nobile ſuſpenſis aperitur rupibus Antrum,
[c] *Ignoto tibi Phœbe loco, ſed ſegnibus Urſis*
Obverſo, & reliquis mergi metuentibus aſtris.
In ſpeciemq; patet furni, vel qualiter Orci
Ora perhorrifico pinguntur hiantia rictu
Poſt Ite *auditum, turbam ſorbentis abactam.*
Sublimes intramus equis. Tecta intus, & altos
Suſpicimus cumulos detonſi munera prati.
Sed [d] *cœlum attoniti miramur ſaxeum, ut ingens*
Suſtineat montis nullo fulcimine pondus;
Laudamuſq; tuas æterne Geometer artes.
Cernimus & denſo colatam fornice lympham
Guttatim elabi, & ſolidâ tellure receptam,
Æquoream in patriam reditum jam nunc meditari;
Jam nunc exiguis properare canalilus, undas
Quærentem ſocias, & fortius ire parantem.

Jamq;

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[a] *Over the Heads of thoſe that work'd underneath in the Mines.*
[b] The Devil's Arſe, *Mirac.* 2
[c] *Where the Sun Beams never come.*
* *Toward* Urſa Major *and* Minor, *northern Conſtellations.*
[d] *The vaſt Roof.*

[a] Supra capita agentium ſubtus in cuniculis.
* Caſtleton.
[b] Orci culum, Ang. *The Devil's Arſe.* Mirab. 2.
[c] Quo nunquam pertingunt radii ſolares.
[d] Lacunar ingens.

From whence they teaching, we theſe Notions get,
Rivers proceed not from the Earth's Receipt
Of the ſalt Billows by the ſandy Shores,
Which ſtill imbibe them at their hollow Pores,
As if the ſtraitned Waters were forc'd up,
The Main being taller than the Mountain's Top;
But by the Sun's hot Rays the Sea on high
Mounts up in Vapours, which do wand'ring fly
Drove by the Winds, which cooling ſtill as ſoon
As the Heat fails them, or the Sun goes down,
In num'rous Tears deſcend unto the Earth,
From which collected, Rivers have their Birth.
To view the dark Receſſes of the Cave
We thought it not amiſs good Lights to have.
Diſmounting, a ſhe Native of the Place
Leads us on forwards, with a gentle Pace,
Handſome enough, and Girl enough ſhe was;
Who with her ſteady Foot, and Accent clear,
As Guide emboldens us with many a [e]Cheer.
Making our Entrance with a [f] confuſed Light,
Two Rocks with crooked Backs drive from our ſight
The Beams of Day, and bending down below,
On [g] all four force us through their Arch to go.
Sometimes erect, then grov'ling towards the Ground,
In Figures both of Beaſts and Men we're found.
Until at length the ſlow and humble Source
Of a dark River croſſing, ſtopt our Courſe.
A Stream whoſe Channel ran till now beneath
The Earth, here under the low Arch does breath;
And winding in its Channel to and fro,
Nor always does irrevocably go.
Sometimes it boſoms you within its Bay,
Then jetting out, it drives you far away.
Thus far we go; beyond it none can have
The leaſt Admittance, who e'er Credit gave
To the old Woman's Fable of the Father,
' Who did forſooth well fraught with Lights [h] ſwim over
' A little Ford, but [i] durſt not further roam,
' Leſt ſunk in Night, he ne'er ſhould backward come.
But we return, and with wet Feet tread o'er
The Sand again, that we had trod before.
The Night and Shades we now behind us leave,
And the bleſt Day-light once again receive.
Got out, as is the Pole a Mountain tall
Lifts up his Head, like an old ruin'd Wall
Ready made weak by Breaches now to fall.
'Tis ſaid, eternally the Sand falls down,
Without the Hills leaſt Diminution;
Strange this, if true; and yet the Pyramid
Of falling Sand, ſtill gathering to a Head,
Gives tacit Items that the Flux begun
By ſome great Ruin, and will ever run
Until the Mountain's Top and that be one.
And tho' the moſt call't MAM TOR, nev'rtheleſs
MAIM'D-TOR the Cliff I rather ſhould expreſs,
Which

Jamq; Amnes ipſis videor didiciſſe magiſtris,
Non fieri, ſalſum terra potante, liquorem
Littora ad ipſa maris, quaſi celſis montibus ipſe
Celſior Oceanus concluſam expelleret undam;
Sed mare Phœbæâ *tenuatum ſurgere flammâ*
In Cælum; actumq; Eoliis *errare miniſtris;*
Mox Phœbo *fallente algens, totaq; recepta*
Natura, in terras fletu deſcendere; & eſſe
Flumina collectas lachrymas. Placet ima cavernæ
Umbroſæ, illatâ penetralia viſere luce.
Deſcenſos ab equis, antri virguncula civis
Præcedit, formoſa ſatis, nimiumque puella;
Datq; animos, greſſuſque regit jucunda [e] *Celeuſtis.*
Primumque ingreſſis [f] *confuſo lumine ſenſim*
Accedunt cautes utrinq; diemque recurvis
Extinguunt ſinubus; tum demittentia ſeſe
Arcto [g] *quadrupedes admittunt fornice ſaxa.*
Erecto rurſum rnrſum mox corpore prono
Pergimus, alterna pecudes homineſq; figura.
Donec tranſverſo tandem prohibemur ab amne.
Amnem quem clauſum fert ſub tellure canalis
Hactenus, hic humili patitur ſpirare ſub arcu;
Exitq; interdum non irrevocabilis unda.
Nunc ſpeculatores propius, nunc longius arcens.
Huc nobis, ultra nulli licet ire. Nec eſt fas
Credere narranti vetulæ de patre, quod olim
Lychnorum ingreſſus librali faſce, fluentum
Tunc [h] modicum tranavit, & ulteriora ſequutus,
Tantum ivit, quantum licuit remeare [i] timenti
Incidere in noctem. *Remeamus, & altius ante*
Signatis, uda imprimimus veſtigia arenis.
Exuimus noctem, dieſq; recepimus oras.
Cum emerſis, ante ora, poli mons æmulus alti
Tollitur, avulſo præceps ceu fragmine murus.
Defluere æternum perhibent a vertice terram,
Nec tamen imminui montem. Mirabile dictu.
Conſtaret ſi certa fides. Sed acutus arena
Labente, agnoſcens tumulus, tacito indicat auctu,
Continuum hunc fluxum primum cæpiſſe ruina
Ingenii, æquatoq; habiturum culmine finem.
Quemq; vocant alii correpto nomine MAM-TOR
Rectius hunc Clivum videor mihi dicere MAIM'D-TOR,
Quod

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[e] *The hem or joint Voice of the Mariners when they encourage one another, or ſalute a Veſſel.* [f] *Compounded of the Day-light and Candle-light.* [g] *Not able to ſtand upright. The ridiculous Story of the old Woman.* [h] *He ſwam over it with the more Eaſe becauſe it was very ſhallow.* [i] *He fear'd to meet Night in a dark Den. Ridiculous.* Mam-Tor, *Mirac.* 3.

[e] Vox nautica hortatrix. [f] Miſto ex dœleſti & lychnea. [g] Nos, penè proſtratos. Vetulæ ridicula narratio. [h] Faciliùs tranavit quia minime altum, Ridiculum. [i] Noctem timuit in ſpeluncâ tenebroſiſſimâ. Ridiculum. *Mam-Tor.* Mirab. 3.

Which does in *Engliſh* a torn Rock denote,
And the decrepit Hill gives Favour to't.
Turn'd to the Left a thouſand Pace or ſo,
To the [k] *Peak*-Foreſt without Tree we go,
Hemm'd in with ſtony Fence the naked Deer
Cold Winter pinches, not a Leaf does here
To ſhelter them upon theſe Hills appear.
Summer's fierce Heat does ſcorch them, not a Shade
From the Sun's Ray to cover them is had.
Many, the bloody Wantonneſs of Man
Deſtroys with Dog, his lov'd Companion.
Many the Changes when the Heavens frown,
Some [l] *Elden* with wide Jaws does ſwallow down.
Of the torn Earth a dire *Hiatus* 'tis
Which ſhould I labour truly to expreſs,
The Ancients I to counſel call in vain,
For no ſuch Thing the Poets e'er could feign ;
Howe'er, my Muſe, we ſome Eſſays muſt make ;
And firſt the Figure of its Mouth let's take :
Let the apt Simile be but complete,
To ſmall things, ſo, thou may'ſt compare what's great.
Tell me, tell't me alone, tell't in my Ear,
Whiſper't, that none but thou and I may hear ;
She's dumb, as conſcious of the Form [m] obſcene.
Upon the Side of a fair Hill that's green,
It's Rim deſcending with the Mountain's ſeen.
Driving off Herds that graze around it far,
And ſucking with dark Lungs the pliant Air.
While from the Edge we proſtrate view't, the Sight
O'th' vaſt *Abyſs* does each of us affright.
With Fear and Dread the bold Spectator ſpies,
No Bounds to ſtop the Progreſs of his Eyes.
And though the ſtony Battlements aſſure
Whoe'er leans on them, may have Sight ſecure,
Yet ſtill diſtruſt our fearful Minds invades,
And we retire from the dreadful Shades.
But through the Field we diligently ſearch
For Stones ; thrown in, long is their ſilent March,
At length by Strokes their Journey's End they ſpeak,
(If any End, they in their Journeys make.)
Caſt in they ſink, and in their ſinking knock,
After long Pauſes, on a hidden Rock.
Thence tilting, ten times they the Strokes repeat
In vain, not center'd on a Bottom yet.
And now ſo oft deceiv'd, we ſtrive at length
Whole Towers to throw in, had we but Strength,
Whole Buildings, Roofs and all, vaſt Mountains tall,
(Had they been there, for 'twould have ſwallow'd all)
But a vaſt weighty Stone, ſuch we could get,
We by main Strength, force from its native Seat,
And rowling it along th' inclining Land,
Upon the ſacred Brink, we let it ſtand.
Then this repeat. ‘ Thou God to Shades below,
‘ Præfect in chief of Torments, ſee we go
‘ Of our Chance certain, and high Seats of Glee,
‘ (If they ſay true, are rob'd in Black like thee)
‘ This Torment add unto thoſe many more
‘ Thou haſt invented, for the damn'd in Store.

Quod ſonat Angligenis Clivus Mutilatus, *& ipſe*
Mons, nomen magnâ Mutilatus parte fatetur.
Progredimur, verſi ad lævam, duo millia paſſum
Ad ſeptam muris, dictamque, ſine arbore, [k] Sylvam
Peccanam, *Cervos nudis in montibus urit*
Acris hyems, nulla tectos à frigore fronde ;
Sicca æſtas, nulla tectos à ſolibus umbra.
Sæva hominum, canibus ſociis, laſcivia multos.
Multos ſæva necat varia inclementia cæli,
Et Fovea *abſorbet non magnam* [l] Eldenia *partem.*
Eſt ea terribilis ſciſſe telluris hiatus,
Quem digne ut memorem veterum undiq; convoco fruſtra
Concilium, nam tale nihil finxere Poetæ
Tentandum tamen ; & primum quam formam habet oris
Muſa refer ; formæ ſimuli componito : Magno
Nam potes exemplo parvis componere magna.
Dic tandem ; dic ſubmiſſo ſoli mihi, in aurem ;
Obticet [m] *obſcænæ ſibi conſcia virgo figuræ.*
In latere herboſi collis, paſcentia circum
Diſtituens armenta ſolum, rimaq; ſecundo
Monte patens, auras atro inbibit ore ſequaces.
Quod procumbentes oculis de margine pronis
Cum inſpicimus, vaſtum inſpectantes terret inane,
Subjectumq; horrens animus videt infinitum.
Et quamvis tutos jam ſecuroſq; tueri
Continuo ſtantes hortentur marmore ripæ,
Non animis eadem ſpondentibus ora Barathro
Demimus, & diro regnatis Dite tenebris,
At lapides toto ſparſos conquirimus agro,
Verbere qui tandem per longa ſilentia miſſi
Quis ſit eis doceant (ſi quis ſit) finis eundi.
Miſſi ſubſidunt lapides, feriuntq; cadentes
Cæcam (ſed longo feriunt poſt tempore) rupem.
Inde docent decies repetito verbere lapſi.
Deceptos decies necquicquam quærere fundum
Tum vero ardemus, ſi vis reſpondeat æqua ;
Ingerere integras turres, & tecta (ſi adeſſent,
Et non anguſto tellus nimis ore negaret)
Tota ſimul, totoſq; altos ibi perdere montes.
Quod licet, immani defixum pondere ſaxum,
Vi multa eruimus, prona & tellure volutum
Siſtimus ad ſacrum limen. Tum talia famur.
‘ *Umbratum præfecte Deus cruciatibus, Ecce,*
‘ *Securi noſtræ ſortis, certique ſupernæ*
‘ *Jampridem ſedis (ni nos tibi concolor author*
‘ *Fallat) tormentum jam inventis addimus unum.*

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[k] Peak *Foreſt.* [l] Elden *Hole. Mirac.* 4. [m] *The Mouth of the Hole is of a Cunnoid Form, or like the Privities of a Woman.*

[k] *Peak* Foreſt. [l] *Elden* Hole, Mirab. 4. [m] Eſt enim Fovæ os, forma cunnoeides.

‘ In thy Dominions, if a Soul thou haſt
‘ Fam’d for Rebellion, or for Breach of Truſt,
‘ Beneath this Chaſm let it ſtraight be put.
‘ Say it be *Simon*, or *Iſcariot*.
‘ Or place the Giants, in a Trice you’ll ſee,
‘ Bruis’d they the Shadows of a Shade they’ll be.
‘ But, O ye Souls, who ſhut up with them ſweat
‘ Known and belov’d by us, make quick Retreat,
‘ And ſlight not our Advice.’ This ſaid, the Stone
We drop, which circled in thick Miſt is thrown
Againſt a Rock, the Cavern groans the while,
Loud Sighs are vented from the ſhaken Pile.
From Rock to Rock the Sound goes downward ſtill,
Leſs heard by us but the more heard by Hell.
The third and fourth Percuſſion’s nearer made,
With awful Sound affright each liſt’ning Shade.
In ſhort, againſt *Avernus* [n] craggy Throat
At the eleventh Stroke it whiſpers out
Its Journey only ; what ’tis more you hear
After that Blow, brought faintly to your Ear,
Does but the Image of a Sound appear.
Away the Shades, ſwift as the Winds do glide,
In Vaults of *Erebus* ſtrive to be hid,
In Silence the mean while deſcends the Stone ;
Through the infernal Spheres it poſt doth run,
And paſſes them in order one by one.
Into the Confines of dread *Dis* it goes
And [o] empty Seats in *Limbo* overthrows.
From thence by intenſe [p] Flames it moves in haſte,
And Souls red hot in Heaven to be plac’d,
(Purge from their Droſs as are the Pipes by Fire
Tobacco er’ſt had ſullied) and the [r] Sphere
Of Infants unregenerate it flies.
(Unconſcious of its Fault which tortur’d cries)
Thence ſinking to the utmoſt Hell it goes
And Center paſſes ; where the wiſe ſuppoſe
Of *Ariſtotle*’s Sect ſhould top, and ſo
Aſcending to the other ſide does go.
Now the affrighted Ghoſts turn back again
Freed from the Object which had giv’n them Pain ;
Amongſt which Number *Syſiphus* alone
Does the Approach lament of ſuch a Stone,
More buſky and more weighty than his own.
’Tis ſaid great *Dudley* to this Cave came down,
In fam’d *Eliza*’s Reign a Peer well known ;
He a poor Peaſant, for a petty Price
With Rope around his Middle does intice,
And Pole in Hand, like to *Sariſſa* tight,
And Baſket full of [u] Stones down to be let,
And pendulous to hang i’th’ midſt o’th’ Cave ;
Thence caſting Stones Intelligence to have
By liſt’ning, of the Depth of this vaſt Hole.
The trembling Wretch deſcending with his Pole
Puts by the Stones, that elſe might on him rowl.
By their Rebounds caſts up a Space immenſe,
Where ev’ry Stroke does Death to him diſpenſe ;

‘ *Pone ſub hac rimâ, tibi ſiqua ſit umbra rebellis,*
‘ *Inſigniſve fide violatâ. Subde* Simonem,
‘ *Aut* Judam (Judam Iſcarioten.) *Subde* Gigantes ;
‘ *Contriti fient Umbrarum protinus umbræ.*
‘ *At vos, O animæ, quibus incaluere retentis*
‘ *Cognita amicorum, dilectaq; corpora nobis,*
‘ *Ferte pedem retro monitæ, & non temnite dicta.*
Sic fati, lapidem demittimus. Ille per auras
Stagnantes, denſa merſus caligine fertur
In ſcopulum. Gemit horrendum percuſſa Caverna,
Colliſæq; cient alte ſuſpiria moles.
Excuſſum primo, ſcopulus mox excipit alter,
Audito ſonitu nobis minus, at magis Orco.
Territat arrectis jam ſtantes auribus umbras
Tertius, atque minis quartus proprioribus ictus.
Quid moror ? undeno [n] *dentatum guttur Averni*
Verbere dum tranſit, ſe & tunc lapis ire ſuſurrat.
Poſt id quicquid iners aer vix auribus adfert,
Non ſonus eſt, ſed imago ſoni. Vento ocyus umbræ
Diffugiunt, Erebiq; tegi ſub fornice certant.
Interea infernas percurrit in ordine Sphæras,
Deſcendens tacite ſaxum. Confinia Ditis
Attingit, [o] *vacua evertitq; ſedilia Patrum.*
Inde per intenſum feſtinans labitur [p] *ignem,*
Candenteſque animas (tubulorum more recoctas
Fictilium, quos, tranſmiſſa fuligine, pinguis
Infecit Peti fumus) cæloq; locandas.
Infantumque [q] *ſemel natorum pervolat* [r] *orbem.*
(Inſcius admiſſi pœna luit [s] *inſcius, infans.)*
Ultima tum ſubiens, infandaq; Tartara, centrum
Tranſit (ad hæſurum promiſerat [t] Entelechia,
Credenda umbra tamen) fundumq; aſcendit ad imum.
Et redeunt trepidi Manes reſidente favilla;
Quos inter timet, & ſertunus Syſiphus ægre
Succeſſiſſe ſuo graviori pondere ſaxum.
Fertur ad hoc Antrum veniſſe Leceſtrius *heros,*
Dudleius, *notus Comes is regnantis* Elizæ ;
Ille inopem quendam parvo (ſic credimus) ære
Conductum, & longo ſuccinctum pectora fune,
Inſtructum conto, Pelleam imitante Sariſſam,
[u] *Exploratores cophinoq; ferente lapillos*
Demitti, & media juſſit pendere Caverna.
Inde jaci lapides, atq; auribus aera pronis
Captari, inde cavum propius ſcrutarier altum.
Deſcendens pavide miſer, accedentia ſaxa
Nunc removet conto, nunc deſiliente lapillo
Calculat immenſum ſpatium, numeratque quod ictus

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[n] *Rough with ſharp and pointed Rocks.*

[o] *For the* Limbus Patrum *has been empty long ago.*

[p] *Purgatory*

[r] *Limbo.*

[u] *To try by the ſeveral Strokes they made in their falling down the Depth of the Hole.*

[n] Exertis cautibus aſperum.

[o] Nam Limbus Patrum jamdudum vacuus.

[p] Purgatorium

[q] Non regeneratorum.

[r] Limbum.

[s] Pœnas, not ſenſit at damni.

[t] Umbra *Ariſtotelis.*

[u] Quibus decidentibus exploraret foveæ altitudinem.

Fearing the Thread on which his Life depends
Chance might cut off ere Fate ſhould give Commands.
After a hundred Yards he had below
I'th' Earth been drown'd, far as the Rope would go,
And long enough hung by't within the Cave,
To th' Earl (who now impatient was to have
His Anſwer) he's drawn up ; but whether Fear
Immoderate diſtracted him, or 'twere
From the ſwift Motion, as the Rope might wreath,
Or *Spectrums* from his Fear, or Hell beneath
Frighted the Wretch, or the Soul's Citadel
Were ſtorm'd or taken by ſome Imp of Hell,
For certain 'twas he rav'd ; this his wild Eyes,
His Paleneſs, Trembling, all Things verifies.
Where venting ſomething none could underſtand,
Enthuſiaſtick Hints ne'er to be ſcan'd,
He ceaſing, [x] dies, after eight Days were gone.
But th'Earl inform'd, [y] how far the Cave went down,
He trembling from it haſtes, not willing now,
Nor yet this Way, down to the Shades to go.
From hence within a Vale that hidden lies,
A thouſand Paces off, a [z] Font doth riſe
From the low Caverns of a graſſy Hill ;
With double Mouth its Waters guſhing ſtill.
Which ſince th'admir'd Flux o'th'greater Sea
Doth by Report in its ſmall Channel play,
We thought it good (although the Sun made haſte,
And drove his Chariot quick into the Weſt)
To ſtay a while, and haply ſo to ſee
When that the Wonder of the Flux would be
With Fame Co-witneſſes o'th'Rarity.
That which boils up with trembling Waters bright
O'th'two the bigger, chiefly worth our Sight,
A Font receives not equal unto thoſe
Are made by Art, but yet by much outgoes
What Fountain-Head e'er from wild Chance aroſe.
Thence flows, unleſs what doth at Bottom keep,
Two Cubits broad, three long, one Cubit deep.
One, when no more than's own it doth contain,
But to it by the foreign Flood doth gain.
A Mark is by the ſwelling Waters made,
Which gives the ſtony Brink a ſignal Shade :
Which by its Blackneſs to have ebb'd of late,
Diſcerning it uneaſy ſeem'd to wait
So long until the Tide again came on.
So we our Horſe Heads turn for to be gone.
When we're call'd back by th'guſhing Waters Noiſe,
And ſee them plainly on the Stones to riſe.
Now the full Fountain's Waters boil apace,
As when fierce Fires we under *Cauldrons* place,
The Water cannot reſt that is above,
But ſhuns the Metal, and does volant prove.
When near the Font, from the aforeſaid Head,
A Rivulet does ſuddenly proceed,
And pouring from above its Streams deep in,
Helps the augmenting Waters to attain
Their wonted Height, which got, decreaſe again,
When ſtraight the Rivulet that with ſuch Force
Pour'd from above its Waters, ſtops its Courſe,

And

Tot mortes ; & fila timet pendentia vitæ,
Ne quis laſcivus ſecet, injuſſuq; Sororum.
Poſtquam bis centum ſub terram circiter ulnas
Merſus ſubſtiterat, funemq; tetenderat omnem,
Satque diu tenſo de fune pependerat, Antro
Extrahitur, cupido Heroi reſponſa daturus ;
Verum, ſive metus mentem expugnaverat ingens ;
Sive celer motus torti vertigine funis
Immodica, Solio Rationem excuſſerat alto ;
Sive Erebi, ſive ipſa ſui jam ſpectra timoris
Pallida terruerant ; ſive arcem mentis abactæ
Spiritus inferni poſſederat improbus Orci ;
Haud dubie fuerit infælix. Sic lumina torva,
Mutatuſque color, pallor, tremor, omnia monſtrant.
Ergo ubi non cuiquam intellecta profuderat, & quæ
Æquabat magnis [w] *ſententia nulla Prophetis,*
Conticuit, Maneſq; dies poſt octo [x] *reviſit.*
At Comes *audito quo* [y] *pertinet uſq; Caverna,*
Horruit, & (non hac, neq; nunc ſubiturus) abivit.
Hinc centum paſſus decies numeramus, & ecce,
In valle occulta, radicibus exilit imis
Graminei Collis, gemino [z] *Fons ore perennis.*
Quem quoniam immenſi mirandos æquoris æſtus
Ludere in exigua fama affirmaverat unda,
Viſum eſt (quantumvis Phœbo properante) morari
Pauliſper, ſi forte aquulæ miracula detur
Aſpicere admotis, & famæ teſtibus eſſe.
Quæ vitreis ebullit aquis tremula unda, duorum
Major, ſplendidiorque, & poſcens ſola videri,
Excipitur puteo, ſtructis non æquiparando,
Sed qui fortuito quovis ornatior ortu eſt.
Inde ſoluta fluit, niſi quæ fundo retinetur
Lata duos cubitos, tres longa, unumq; profunda.
Unum dico ſuo quando contento liquore
Subſidet, at binos quando hoſpite tollitur unda.
Labra reclinatæ ſignabat ſaxea ripæ
Linea, quam latices ipſi fecere tumentes,
Subnigris ſaxis modo detumuiſſe reperti.
Ergo ceſſatos iterum expectare labores
Tædet, & improbius viſum eſt. Diſcedere prorſus
Admotis properamus equis. Jam jamq; abeuntes
Concuſſis revocamur aquis. Liquidoſq videmus
Attolli latices ; ſenſimq; irrepere ſaxis.
Jamq; fere pleno ſaltabat fervida fonte
Lympha, velut rabidus cum ſubditur ignis aheno,
Neſcia ſtare loco, refugit ſævum unda metallum,
Cum juxta fontem, condicto rivulus ortu
Erumpit ſubito, ſuper inſuſoq; liquore,
Præſtat aquæ ſolitos auctæ contingere fines.
Quo perducta, iterum decreſcit, & illico rivi
De ſuper immiſſi reſtinguitur impetus, & quæ

Reſpuerat

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[x] *Died mad of a Phrenſy.* [y] *To wit, to Hell.* [z] *The ebbing and flowing Well.* Mirac. 5.

[w] Quis ea loqui quorum nulla eſt ſententia commune eſt vatum, inſanientiumque. [x] Mortuus eſt a *Phreneſi.* [y] Pertingit, ſcilicet ad Inferos. [z] Fons æſtuans. Mirab. 5.

And the dry Earth now thirſty grown for more,
Drinks off the Cups ſhe had diſgorg'd before.
Part of the Channel now diſpers'd doth flow
Forth from the Well, part under Ground doth go.
Small Thefts of *Moſs* from off the Stones were there,
Graſs, Chaff, torn Bits of Paper, and ſuch Geer.
Or what 'tis elſe its ſhallow Stream can bear,
That we fling in, returning it doth come
Together with it, to Earth's hollow Womb.
And now the humble Font ſo low was grown
It ſcarce retain'd the Waters were its own,
When as the Tides return, again they ſwell,
Again to wonted *Fevers* trembling boil,
Increas'd by foreign Floods ſo far to gain
Their Bounds, and [a] Tropick Stations to attain,
Lading their Shores ſtill with a freſh ſupply
So far, and then again they falling fly.
But the increaſing [b] Shades forbid our ſtay
Which monſtrous grown *Gigantick* Forms betray.
Our Journey we haſte on, but as we go,
We ſearching ſtrive by ev'ry Sign to know
From what hid Cauſe, ſo great a Strife ſhould ſpring.
For neither Saltneſs, nor yet any thing
That's common to the Water of the Sea,
Are in this Fountain ever found to be.
On the Moon's Influence it don't depend,
Nor does it at ſet Times its Floods extend,
(As does the Sea) unto theſe Tides there is
No Rules from any Ephemerides.
What then ſhould be the Cauſe? In ſhort 'tis this:
The Water which from under Ground doth riſe,
And with its foreign Stream fills up the Well,
Does not come thither brought by'ts own Canal,
And willingly another's Right invades.
But while the Footſteps of the Flood that leads
It follows, ſeeking through the Womb of Earth
For Fountains, whence its Waters may have Birth,
On ſubterraneous Caves its Floods do fall,
With narrow Vent, and Entrances but ſmall.
Hither as oft as that the Waters flow,
With ſwelling Tides, and ſtop the Vents below
With their ſwift Currents, ſuddenly the Air
Shut up within, does for the Place prepare
Defence againſt the Waters, and deny
Their Entrance, having no where for to fly.
And as there's nought than Air incloſ'd more ſtrong,
It bears againſt the watry Croud that throng;
Then as thick Troops through narrow Portal ſtrain,
The firſt ſtick at the Threſhold, the Remain
In a condenſed Croud before the Gates
Make a full Stand; part urges on their Mates,
Part wand'ring ſeek out for ſome other Way:
So the excluded Waters at their Stay
Impatient grown, and ſwelling, go aſtray;
Then roving, to this Font are ſlowly brought.
Hence 'tis with Show'rs when the Earth is fraught,
The Fluxes happen ever and anon,
As now, three times they riſe, three times go down.

With

Reſpuerat, repetit ſitiens ſua pocula Tellus.
Diſtracti laticis pars effluit altera ripis
Fontis; pertuſo infertur pars altera fundo.
Furtaque muſcoſis erepta leviſſima ſaxis,
Graminaq; & paleam & tenuis præſegmina charta,
Sive aliud quicquam parva ſuperabile lympha
Injicimus, rediens infert in viſcera terræ,
Jamq; humili fonti, proprius vix conſtitit humor,
Cum redeunt fluctus; iterum ceu febre laborat
Unde tremens; iterum æſtuat; auctaq; lymphis
Externis iterum [a] *tropicam contingere metam*
Sufficit, accepto velans ſua littora fluctu;
Atq; iterum reſidet. Sed nos vetat [b] *umbra morari,*
Umbra giganteas mentita Coloſſea formas,
Maturamus iter, ſed quærimus inter eundum,
Conamurque, omni collato diſcere ſigno,
Abdita quæ tantum concivit cauſa tumultum.
Nam neque Salſedo, neque quid commune marinis,
His reperitur aquis; Phœbus nil imputat aſtro
Fons hic, temporibus nec tollitur (ut mare) certis;
Æſtibus his nullam præfigit Ephemeris horam.
Ergo quid in cauſa eſt? Paucis ſic accipe. Prodit
Quæ tellure cavâ, fontiq; illabitur unda
Advena, non iſtuc proprio delata canali
Pervenit, atq; volens alienos occupat ortus,
Sed dum ductricis ſequitur veſtigia lymphæ,
Longinquoſque petit, per terræ viſcera, fontes,
Intrat in anguſtis ſubeunda meatibus antra.
Huc quoties humor tumefactâ defluit undâ,
Præcipitique aditum comprendit flumine totum,
Protinus aura locum concluſa tuetur, aquiſq;
Pernegat ingreſſum, nec habens quo cedere, pugnat,
Utque eſt deprenſa nihil obfirmatius aura,
Suſtinet urgentes exili corpore lymphas,
Tum, conferta velut ſi portis irruat arctis
Turba, hærent, ipſo defixi in limine, primi;
Quæ ſequitur ſtat pro foribus ſtipata caterva,
Parſque urget ſocios, alias dilabitur & pars
Quæſitura vias: Exculſus defluus humor
Intumet, impatienſq; moræ, expatiatur, & errans
Fertur in hunc fontem, lentarum impulſor aquarum.
Hinc fit poſt magnos guttis pluvialibus imbres
Tranſmiſſis, æſtus fieri crebros, & in horas,
Fluctum (ut nunc) vicibus tolli, & ſubſidere ternis.

Sed

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[a] *The utmoſt high Water Point, to which when they were come, they decreas'd again.* [b] *The Sun going down.*

[a] Quo provecta ſolebat decreſcere. [b] Solis jam occidentis.

With conſtant Droughts but when the Earth hath been
Burnt ; monthly then the Wonder ſcarce is ſeen.
Now out of Sight Day's Waggoner was gone,
And the *Antipodes* had ſhone upon;
The Sun-burnt Clouds but glimmer to the Sight,
When at fam'd [c] *Buxton*'s Hot-bat we alight.
Unto St. *Ann* the Fountain ſacred is :
With Waters hot and cold its Sources riſe,
And in it's Sulphur-veins there's Med'cine lies.
This cures the palſied Members of the Old,
And cheriſhes the Nerves grown ſtiff and cold.
Crutches the Lame unto its Brink convey,
Returning the Ungrates fling them away.
The Barren hither to be fruitful come,
And without Help of Spouſe, go pregnant home.
Into a Ciſtern ſquare the Water flows,
And ſeldom higher than five Feet it goes.
The prying Gazer's View the Walls prevent,
To th' Rain the Roof is an Impediment.
To theſe ſalubrious Baths a pleaſant Inn
One common Wall with open Doors doth join.
While therefore turfy Fuel does prepare
Our Supper, jointly we reſolved are
Our wearied Limbs in the warm Bath to cheer.
Soon ſtripp'd, the clearer Waters round us glide,
And our naked Limbs with chryſtal Covers hide.
Upon our Face we ſwim, then backward try,
But fail. 'Tis known ſome others may outvie.
After an Hour's Sport i'th' troubled Flood,
Come out, dry Sheets does our wet Bodies ſhrowd.
Then each again is cloath'd in's own Array,
And the ſpread Table ſpeaks our Supper's ſtay.
Night the mean time breaks forth from ev'ry Glade,
And Conqu'reſs covers all with darkſome Shade,
Till in by Candle-light our Meat's convey'd.
Where a ſmall Bowl, but not whole Baths of Broth,
At our Requeſt is plac'd to be ſupt off.
The Mutton taken from't apart is laid ;
From the ſame Sheep a ſmoaking Loin is had
Hot drawn from off the Spit. With a young Fowl
From the demoliſh'd Egg was lately ſtole.
And butter'd Peaſe by Spoonfuls. But rich Wine
In vain we ſeek ; Ale in black Pots that ſhine,
Good nappy Ale we drink. Thus ſupp'd, afar
We with Tobacco drive off Sleep and Care.
Aurora's Chariot had not driven on
And by her March ſpoke the approaching Sun,
By the Eclipſe of Stars that now were gone,
When we aroſe from Sleep, again repair
To the warm Bath, and amply tinged are,
Now double dipt in its all-healing Flood,
Then once again, we our wet Bodies ſhrowd.
Now dewy grown within our Beds, and ſo
After nine Hours Sleep ariſe and go.
One thing remain'd, but highly worth our View,
[k] *Pool*'s *Hole*, a Cave ſo call'd, and near us too.
Pool was a famous Thief, and, as we're told,
Equal to *Cacus*, and perchance as old.

Sed poſt continuis tellurem ardoribus uſtam,
Vix ſemel in toto cerni hæc miracula menſe.
Jam noſtros fugiens viſus, Auriga diei
Antipodas tota luſtrabat Lampade ; nobis
Languida ſuccenſæ præbebant lumina nubes,
Et ſimul ad celebrem tepidis deponimur undis
[c] Buxtonam. *Divæ ſacer eſt fons inclytus* Annæ :
Ambas miſcet aquas callidæ gelidæq; miniſtra
Tellus ; ſulphureiſq; effundit Pharmaca venis.
Hæc reſoluta ſenum confirmat membra trementum,
Et refovet nervos lotrix hæc lympha gelatos.
Huc infirma regunt baculis veſtigia claudi ;
Ingrati referunt baculis veſtigia ſpretis.
Huc, Mater fieri cupiens, accedit inanis,
Plenaque diſcedit, puto, nec veniente marito.
Excipitur, ferme quadrato fonte, ſerena
Naſcens unda, & quinq; pedes vehit alta natantes.
Spectator muris, & tecto excluditur imber.
Hoſpitioque eadem gratiſſima balnea noſtro
Conjungit foribus paries communis apertis.
Ergo placet, coquitur dum ceſpite cœna cremato,
Defeſſos lymphis refovere tepentibus artus.
Protinus exuti, nitidis illabimur undis,
Nudaque perſpicuis velamus corpora lymphis.
Nunc facie prona namus ; nunc nare ſupini
Tentamus. [d] *Bibimus. Nec enim omnia poſſumus omnes.*
Poſtquam vexatis per totam fluctibus horam
Luſimus ; egreſſi ſiccis lodicibus udi
Induimur. Mox quiſque ſuo veſtimur amictu,
Veſtitos ſtratis expectat cœnula menſis.
Nox atra interea ſimul evolat omnibus antris.
Et victrix tenebris involverat omnia cæcis,
Donec ſuccenſis infertur cœna lucernis.
Jam nobis lixæ *non integra balnea* ovillæ,
Sed modicum juris, [e] *conſultis ponitur. Ipſa*
Tum caro [f] *conditis thermis educta ſeorſim ;*
Atque ovis *ejuſdem fumans à cuſpide* [g] lumbus.
Et nuper rapto gallinæ [h] filius *ovo.*
[i] Piſaque *quæ nobis converrat cochlear uncta.*
Ditia cùm fruſtra quærantur pocula Bacchi,
Ollâ ſubridens bibitur cerviſia *nigrâ.*
Cœnati, peto *ſomnos arceſſimus hauſto.*
Poſtera Phœbæos ducens Aurora triumphos
Nondum vulgares Cœlo dimoverat ignes,
Cùm ſomno excuſſo, tepidis immergimur undis
Rurſus, & inficimur penitus medicante liquore
Jam dibaphi ; atq; iterum rorantia corpora lectis
Reddimus, & nonâ de ſomno ſurgimus horâ.
Unica reſtabat, verum digniſſima viſu,
Haud procul hinc [k] Spelunca Poli, *ſic dicta Caverna.*
Inſignis latro Polus, *&, ſi credere famæ*
Debemus, furi par Caco, & forte coævus.

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[c] *Buxton Well*, Mirac. 6.

[k] *Pool*'s *Hole*, Mirac. 7.

[c] Buxton Well, *Mirac*. 6.

[d] Indocti nare, aquam imbibimus.

[e] Interrogatis, an apponi placeret.

[f] Ovilla elixa juſculo extracta.

[g] Ovillæ aſſatæ.

[h] Pullus.

[i] Piſa.

[k] *Pool*'s *Hole*, Mirab. 7.

Shrowded within this darkſome hid Retrieve
By Spoils of thoſe he robb'd, he us'd to live,
And towards his Den poor Traveller deceive.
But Murder he with Thefts did introduce ;
Thus they, and thus the Author lay abſtruſe.
This to behold, a ſkilful Guide we take,
And Captain in our darkſome Journies make,
To a green Hill on Foot we bend our Way
From *Buxton* near a thouſand Paces lay.
At Bottom of the Hill to th' hollow Ground
Stooping by a ſmall Vent a Way is found ;
More paſſable the further in you go.
At length we all with Crab-like Geſture ſlow,
And Light in Hand, the Paſſage do get through,
And with it gain an upright Poſture too.
A monſtrous, horrid, ſhapeleſs Den appears,
Where the divided Night gives greater Fears.
Now on the Court of the great *Pool* we look.
Horrid, and rough with Rocks. The Ceiling ſtruck
Shines with bright fiery Sparks. We further yet
With mounted Lights go on, and weary Feet.
Vaſt, ſlippery, moiſt, and Stones to climb full hard
Looſe, once to fall, now therefore to be fear'd,
Mountains and Vallies wild o'th' ſtony Cave
We paſs, with a blind River which each Wave
With Murmurs flings againſt the Rocks it meets.
To th' Top of a ſteep Mountain who doth get
From the low River riſing, may with Sweat,
And weary'd Hands, and weary'd Feet, mount on
(Bolder by far than we) the utmoſt Stone
Of this dark Cave ; three Stadiums diſtant from
The Entrance, by which to it we did come.
This Cave by *Gorgon*, with her ſnaky Hair,
You'd think was firſt poſſeſs'd ; ſo all Things there
Turn'd into Stone, for nothing does appear
That is not Rock. What from the Ceiling high
Like Hams of *Bacon* pendulous you ſpy,
Will ſcarce yield to the Teeth ; Stone they are both.
That is no Lion mounts his Main ſo rough,
And ſets as a fierce Tenant o'th' dark Den,
But a mere yellow Stone. That grave old Man
That leaning lies on his hard rocky Bed,
Himſelf may truly part of it be ſaid.
Thoſe Stars from the clear Roof that ſhine ſo bright
Are nought but Stones which ſparkle 'gainſt the Light.
The Drop which hangs upon the pointed Stone,
Is that ſo too ? it is, or will be one.
Took up between our Fingers it is ſeen
To be nor Stone, nor Water, but between.
Of ſuch a Subſtance as a leaven'd Maſs.
But on the [m] flying Water as we gaze,
Our Lights perſuade us now grown towards Decay,
To haſte from the Cave's Labyrinth away.
But turning firſt on the Left-hand, behold
The Bed-chamber of *Pool* the Robber bold ;
All of plain Stone, ne'er water'd with the Dew,
Furniſh'd with Bed and Chamber-pot we view.
And thence returning, to the Day get clear.
Laborious climbing, and of Falls the Fear,

Our

Hac uſus latebra conſuevit vivere rapto ;
Atque viatores ſpoliandos ducere in Antrum.
Verum & ei ſolenne fuit conjungere furtis
Cædem ; ſic texit ſcelera authoremque Caverna.
Hanc inſpecturi penitus, ductore perito
Cæcarum aſſumpto ima ſub tellure viarum,
Eximus, pedites collem petimuſq; virentem,
Diſtantem noſtra vix paſſus mille taberna.
Ipſas ad montis radices, concava tellus
Proſtratis aditum pertuſa foramine præbet
Exiguo, minus at præmiſſis invia [1] *plantis.*
Omnes cancrino greſſu, ſumptaq; lucerna
Quiſque ſua, tandem tranſmittimur, erigimurq;
Antrum, horrendum, informe, ingens aperitur. Et atra
Diviſa in partes nox diſſilit atrior ambas.
Aſperaque apparet Latronis, *& horrida Saxis*
Regia. Percuſſum rutilo micat igne lacunar.
Progredimur, Pedibuſq; admoto lumine cautis,
Saxa ingentia, roſcida, lubrica, & ardua ſcanſu,
Libera, corruitura ſemel, nunc ergo timenda,
Saxoſæque feros montes valleſq; Cavernæ
Tranſimus ; fluviumq; ſuas qui diſſipat undas
Cæcus in objectas impingens murmure rupes.
Qui ſcandet rauco ſurgentem à flumine montem,
Ille licet ſudetq; pedeſq; manuſq; fatiget,
Diſſita ab introitu ſtadiis tribus, ultima opaci
Pertinget (multo nobis audacior) Antri.
Speluncam *hanc credas habitatam Gorgone primùm*
Anguicomâ, & verſa in rigidum ſic omnia Saxum,
Nam lapis eſt, quodcunq; vides. Laquearibus altis
Quæ ſicci tibi terga Suis *pendere videntur,*
Dentibus haud cedent. Durum ſunt utraq; ſaxum.
Non eſt ille Leo, *Leo, quamvis erigat hirta*
Colla juba, ſedeatq; Antri ferus incola cæci,
Sed fulvus lapis. Ille Senex *qui rupibus aſpris*
Inniſus recubat cubito, pars rupis & ipſe eſt.
Quæque lacunari ſcintillam Aſtra micante,
Sunt nitidi illata gemmantes luce lapilli :
Guttaque *quæ ſaxi mucro nunc pendet acuti,*
Numquid & ille lapis ? lapis illa vel eſt, vel erit mox.
Admoti exceptam digito deprendimus eſſe
Nec lapidem, nec aquam, verum media inter utrumq;
Natura, qualiq; tenax humore farina.
Detinet intentos dum [m] *transfuga lympha, lucernæ,*
Curtæ perplexâ ſuadent exire Caverna.
Sed prius ad lævam remeantes, undiq; ſaxo
Obductum plano, Furis, nulloq; madentem
Rore Poli *thalamum, lecti, laſaniq; capacem,*
Inſpicimus. Superis tum demum reddimur oris,
Jam tepido feſſos ſudore rigaverat artus,

Scanden-

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[m] *Haſting from an aqueous Subſtance to a ſtony one.*

[1] Pedibus.

[m] Transfugiens à naturâ aqueâ ad ſaxeam.

2

Our weary'd Joints had now bedew'd with Sweat,
Our creeping Hands with the moiſt Earth were wet.
When ready Crowds at the Cave's Mouth attend
And Waters mix with Flowers recommend
Our Hands to waſh. Something indeed there is
Expected for theſe their Civilities,
And juſtly too. Were we waſh'd ne'er ſo clean,
Something of Dirtineſs would ſtill remain,
Unleſs by ſome Rewards (although not great)
Their Courteſies we ſhould remunerate.
We'd ſeen now all the Wonders of the *Peak*;
To *Buxton* we return, and dining quick,
Our Horſe are brought; and we thro' Clouds convey'd
By *Sheldon*, (whilſt two thouſand Pace are made)
And *Aſhford*, with *Shelmarton*, petty Towns,
To *Chatſworth* fam'd, where the ſwift *Derwin* runs.

Scandendique gravis labor, & formido cadendi,
Reptantumque manus obleverat humida tellus.
Verum ante ora ſpecus turba officioſa, lavandis
Præbebat manibus permiſtam floribus undam.
Scilicet exigitur tacite pro munere nummus
Recte. Namq; hærent ſordes utcunq; lavemur
Ni (quanquam levicus) referatur gratia donis.
Omnia jam Pecci *Miracula vidimus* Alti,
Buxtonamque *iterum perlatis, & cito pranſis*
Adducuntur equi, nos qui inter nubila vectos,
Solliciteque decem numerantes millia paſſum,
Per non inſignes Chelmarton, Sheldon, *&* Aſhford,
Ad Chatſworth *referunt celerem* Deroentis *ad undam.*

Conſiderations upon the *Reputation*, *Loyalty*, *Manners*, and *Religion* of *Thomas Hobbes* of *Malmeſbury*. Written by himſelf, by way of Letter to a Learned Perſon.

SIR,

I Am one of them that admire your Writings; and having read over your *Hobbius Heauton-timorumenos*, I cannot hold from giving you ſome Account of the Cauſes why I admire it: And firſt I conſidered how you handle him for his Diſloyalty, in theſe Words: *His great* Leviathan *(wherein he placed his main Strength) is now ſomewhat out of Seaſon; which, upon deſerting his Royal Maſter in Diſtreſs (for he pretends to have been the King's Tutor, though yet, from thoſe who have moſt Reaſon to know it, I can find but little Ground for ſuch a Pretence) was written in Defence of* Oliver's *Title, (or whoever, by whatſoever Means, can get to be upmoſt) placing the whole Right of Government merely in Strength, and abſolving all his Majeſty's Subjects from their Allegiance, whenever he is not in a preſent Capacity to force Obedience.*

That which I obſerve and admire here firſt, is, That you left not this Paſſage out, for two Reaſons; one, becauſe Mr. *Hobbes* could long for nothing more than ſuch an Occaſion to tell the World his own and your little Stories, during the Time of the late Rebellion.

When the Parliament ſat, that began in *April* 1640, and was diſſolved in *May* following, and in which many Points of the Regal Power, which were neceſſary for the Peace of the Kingdom, and the Safety of his Majeſty's Perſon, were diſputed and denied, Mr. *Hobbes* wrote a little Treatiſe in *Engliſh*, wherein he did ſet forth and demonſtrate, That the ſaid Power and Rights were inſeparably annexed to the Sovereignty; which Sovereignty they did not then deny to be in the King; but it ſeems underſtood not, or would not underſtand that Inſeparability. Of this Treatiſe, though not printed, many Gentlemen have Copies, which occaſioned much Talk of the Author; and had not his Majeſty diſſolved the Parliament, it had brought him into Danger of his Life.

He was the firſt that had ventured to write in the King's Defence, and one, amongſt very few, that upon no other Ground but Knowledge of his Duty, and Principles of Equity, without ſpecial Intereſt, was in all Points perfectly loyal.

The 3d of *November* following, there began a new Parliament, conſiſting for the greateſt part of ſuch Men as the People had elected only for their Averſeneſs to the King's Intereſt. Theſe proceeded ſo fiercely in the very beginning, againſt thoſe that had written or preach'd in the Defence of any part of that Power, which they then intended to take away, and in gracing thoſe whom the King had diſgraced for Sedition, that Mr. *Hobbes* doubting how they would uſe him, went over into *France*, the firſt of all that fled, and there continued eleven Years, to his Damage ſome thouſands of Pounds deep. This, Doctor, was your Time of Harveſt: You were in their Favour, and that, as you have made it ſince appear, for no Goodneſs.

Being at *Paris*, he wrote and publiſhed his Book *de Cive*, in *Latin*, to the End that all Nations which ſhould hear what you and your Concovenanters were doing in *England*, might deteſt you, which I believe they do; for I know no Book more magnified than this is beyond the Seas.

When his Majeſty, that now is, came to *Paris*, Mr. *Hobbes* had the Honour to initiate him in the Mathematicks; but never was ſo impudent or ignorant as to call, or think himſelf the King's Tutor, as you (that underſtand not what that Word, out of the Univerſity, ſignifies) do falſly charge him with; or ever to ſay, that he was one of his Majeſty's domeſtick Servants. While upon this Occaſion he ſtaid about *Paris*, and had neither Encouragement nor Deſire to return into *England*, he wrote and publiſhed his *Leviathan*, far from the Intention either of Diſadvantage to his Majeſty, or to flatter *Oliver*, (who was not made Protector till three or four Years after) on Purpoſe to make Way for his Return: For there is ſcarce a Page in it that does not upbraid both him, and you, and others ſuch as you, with your abominable Hypocriſy and Villainy.

Nor did he deſert his Majeſty, as you falſly accuſe him, as his Majeſty himſelf knows. Nor was his Majeſty (as you unmannerly term it) *in Diſtreſs*. He had the Title, Right and Reverence of a King, and maintained his faithful Servants with him. It is true that Mr. *Hobbes* came home, but it was becauſe he would not truſt his Safety with the *French* Clergy.

Do you know that ever he ſought any Benefit either from *Oliver*, or from any of his Party, or was any way familiar with any of his Miniſters, before or after his Return? or curry'd Favour with any of them (as you did by dedicating a Book to his Vice-Chancellor *Owen*?)

Did you ever hear that he took any thing done to him by his Majeſty in evil part, or ſpake of him otherwiſe than the beſt of his Servants would do; or that he was ſullen, ſilent, or ſparing, in praiſing his Majeſty in any Company, upon any Occaſion?

He knew who were his Enemies, and upon what Ground they miſconſtrued his Writings.

But your Indiſcretion appears more manifeſtly in giving him Occaſion to repeat what you have done, and to *conſider* you, as you profeſſedly have conſidered him: For with what Equity can it be denied him to repeat your manifeſt and horrible Crimes, for all you have been pardoned; when you publiſh falſly pretended Faults of his, and comprehended in the ſame Pardon?

If he ſhould ſay, and publiſh, That you decyphered the Letters of the King and his Party, and thereby delivered his Majeſty's Secrets to the Enemy, and his beſt Friends to the Scaffold, and boaſted of it in your Book of Arithmetick (written in *Latin*) to all the World, as of a Monument of your Wit, worthy to be preſerved in the Univerſity Library: How will you juſtify yourſelf, if you be reproached for having been a Rebel and a Traitor? It may be you, or ſome for you, will now ſay, You decyphered thoſe Letters to the King's Advantage: But then you were unfaithful to your Maſters of the Parliament: A very honeſt Pretence, and full of Gallantry, to excuſe *Treaſon* with *Treachery*, and to be a double Spy. Beſides, who will believe it? Who enabled you to do the King that Favour? Why herded you with his Enemies? Who brought the King into a Need of ſuch a Fellow's Favour, but they that firſt deſerted him, and then made War upon him, and which were your Friends and Mr. *Hobbes* his Enemies. Nay more, I know not one Enemy Mr. *Hobbes* then had, but ſuch as were firſt the King's Enemies, and becauſe the King's therefore his. Your being of that Party, without your decyphering, amounts to no more than a Deſertion. Of the Biſhops that then were, and for whoſe Sakes (in part) you raiſed the War, there was not one that followed the King out of the Land, though they loved him, but lived quietly under the Protection, firſt of the Parliament, and then of *Oliver*, (whoſe Titles and Actions were equally unjuſt) without Treachery. Is not this as bad as if they had gone over, and (which was Mr. *Hobbes* his Caſe) been driven back again? I hope you will not call them all Deſerters, or (becauſe by their Stay here openly they accepted of the *Parliament*'s and of *Oliver*'s Protection) Defenders either of *Oliver*'s, or of the *Parliament*'s Title to the Sovereign Power.

How many were there in that Parliament at firſt that did indeed and voluntarily deſert the King, in conſenting to many of their unjuſt Actions? Many of theſe afterwards, either upon better Judgment, or becauſe they pleaſed not the Faction, (for it was a hard matter for ſuch as were not of *Pymm*'s Cabal to pleaſe the Parliament) did more Hurt to the King than if they had ſtaid where they were; for they had been ſo affrighted by ſuch as you, with a pannick Fear of Tyranny, that ſeeking to help him by way of Compoſition and Sharing, they abated the juſt and neceſſary Indignation of his Armies, by which only his Right was to be recovered.

That very entering into the Covenant with the *Scottiſh* Nation againſt the King, is by itſelf a very great Crime, and you guilty of it. And ſo was the impoſing of the Engagement, and you guilty of that alſo, as being done by the then Parliament, whoſe democratical Principles you approved of.

You were alſo aſſiſting to the Aſſembly of Divines that made the *Directory*, and which were afterwards put down by *Oliver* for counterfeiting themſelves Ambaſſadors. And this was when the King was living, and at the Head of an Army, which with your own Endeavour might have protected you. What Crime it is (the King being Head of the Church of *England)* to make *Directories*, to alter the *Church-Government*, and to ſet up new Forms of God's Service, upon your own Fancies, without the King's Authority, the Lawyers could have told you; and what Puniſhment you were to expect from it, you might have ſeen in the Statute printed before the Book of *Common-Prayer*.

Further he may ſay, and truly, That you were guilty of all the Treaſons, Murders, and Spoil committed by *Oliver*, or by any upon *Oliver*'s or the *Parliament*'s Authority: For, during the late Trouble, who made both *Oliver* and the People mad, but the Preachers of your Principles? But beſides the Wickedneſs, ſee the Folly of it. You thought to make them mad, but juſt to ſuch a Degree as ſhould ſerve your own Turn; that is to ſay, mad, and yet juſt as wiſe as your ſelves. Were you not very imprudent to think to govern Madneſs? *Paul* they knew, but who were you? You were they that put the Army into *Oliver*'s Hands (who before, as mad as he was, was too weak, and too obſcure to do any great Miſchief) with which Army he executed upon ſuch as you, both here and in *Scotland*, that which the Juſtice of God required.

Therefore, of all the Crimes (the great one not excepted) done in that Rebellion, you were guilty; you, I ſay, Doctor, (how little Force or Wit ſoever you contributed) for your Good-will to their Cauſe. The King was hunted as a Partridge in the Mountains; and though the Hounds have been hang'd, yet the Hunters were as guilty as they, and deſerved no leſs Puniſhment. And the Decypherers, and all that blew the Horn, are to be reckoned amongſt the Hunters. Perhaps you would not have had the Prey killed, but rather have kept it tame. And yet who can tell? I have read of few Kings deprived of their Power by their own Subjects, that have lived any long Time after it, for Reaſons that every Man is able to conjecture.

All this is ſo manifeſt as it needs no Witneſſes. In the mean time Mr. *Hobbes* his Behaviour was ſuch, that of them who appeared in that Scene, he was the only Man I know (except a few that had the ſame Principles with him) that has not ſomething more or leſs to bluſh for; as having either aſſiſted that rebellious Parliament, without Neceſſity, (when they might have had Protection from the King, if they had reſorted to him for it in the Field) by Covenanting, or by Action, or with Money, or Plate, or by voting againſt his Majeſty's Intereſt, in himſelf, or his Friends; though ſome of them have ſince by extraordinary Service deſerved to be received into Favour: But what's that to you? You are none of them; and yet you dare to reproach the Guiltleſs, as if after ſo ill Fruits of your Sermons, it were not Impudence enough to preach.

I admire further, that having been forgiven theſe ſo tranſcendent Crimes, (ſo great a Debt to the Gallows) you take Mr. *Hobbes* by the Throat for a Word in his *Leviathan*, made a Fault by malicious or over-haſty Conſtruction: For you have thereby, like the unmerciful Debtor in the Goſpel, (in my Opinion) forfeited your Pardon, and ſo, without a new one, may be hanged yet.

To that other Charge, *That he writ his* Leviathan *in Defence of* Oliver's *Title*, he will ſay, That you in your own Conſcience know it is falſe. What was *Oliver* when that Book came forth? It was in 1650, and Mr. *Hobbes* returned before 1651. *Oliver* was then but General under your Maſters of the Parliament, nor had yet cheated them of their uſurped Power: For that was not done till two or three Years after, in 1653, which neither he nor you could foreſee: What Title then of *Oliver*'s could he pretend to juſtify? But you will ſay, he placed the Right of Government there, whereſoever ſhould be the Strength; and ſo by Conſequence he placed it in *Oliver*. Is that all? Then primarily his *Leviathan* was intended for your Maſters of the Parliament, becauſe the Strength was then in them: Why did they not thank him for it, both they and *Oliver* in their Turns? There, Doctor, you decypher'd ill: For it was written in the Behalf of thoſe many and faithful Servants and Subjects of his Majeſty, that had taken his part in the War, or otherwiſe done their utmoſt Endeavour to defend his Majeſty's Right and Perſon againſt the Rebels; whereby, having no other Means of Protection, nor (for the moſt part) of Subſiſtence, they were forced to compound with your Maſters, and to promiſe Obedience for the ſaving of their Lives and Fortunes, which in his Book he hath affirmed they might lawfully do, and conſequently not lawfully bear Arms againſt the Victors. They that had done their utmoſt Endeavour to perform their Obligation to the King, had done all that they could be obliged unto; and were conſequently at Liberty to ſeek the Safety of their Lives and Livelihood whereſoever, and without Treachery. But there is nothing in that Book to juſtify the Submiſſion of you, or ſuch as you, to the Parliament, after the King's being driven from them, or to *Oliver*; for you were the King's Enemies, and cannot pretend want of that Protection which you your ſelves refuſed, denied, fought againſt, and deſtroy'd. If a Man owe you Money, and you by robbing him, or other Injury, diſable him to pay you, the Fault is your own; nor needs this Exception, *Unleſs the Creditor rob him*, be put into the Condition of the Bond. Protection and Obedience are relative. He that ſays a Man may ſubmit to an Enemy for want of Protection, can never be conſtrued, but that he meant it of the Obedient. But let us conſider his Words; when he puts for a Law of Nature, *That every Man is bound, as much as in him lieth, to protect in War the Authority by which he is himſelf protected in Time of Peace*; which I think is no ungodly or unreaſonable Principle. For Confirmation of it, he defines in what Point of Time it is, that a Subject becomes obliged to obey an unjuſt Conqueror; and defines it thus: *It is that Point wherein having Liberty to ſubmit to the Conqueror, he conſenteth either by expreſs Words, or by other ſufficient Signs, to be his Subject.*

I cannot ſee, Doctor, how a Man can be at Liberty to ſubmit to his new, that has not firſt done all he could for his old Maſter: Nor if he have done all he could, why that Liberty ſhould be refuſed him. If a Man be taken by the *Turk*, and brought by Terror to fight againſt his former Maſter, I ſee how he may be kill'd for it as an Enemy, but not as a Criminal: Nor can I ſee how he that hath Liberty to ſubmit, can at the ſame Time be bound not to ſubmit.

But you will ſay, perhaps, That he defines the Time of that Liberty to the Advantage of *Oliver*, in that he ſays, that *for an ordinary Subject, it is then, when the Means of his Life are within the Guards and Garriſons of the Enemy*; *for it is then, that he hath no Protection but from the Enemy, for his Contribution.* It was not neceſſary for him to explain it to Men of ſo great Underſtanding, as you and other his Enemies pretend to be, by putting it in the Exception, *Unleſs they came into thoſe Guards and Garriſons by their own Treaſon.* Do you think that *Oliver*'s Party, for their Submiſſion to *Oliver*, could pretend the Want of that Protection?

The Words therefore by themſelves, without that Exception, do ſignify no more than this, *That whoſoever had done as much as in him did lie to protect the King in War, had Liberty afterwards to provide themſelves of ſuch Protection as they could get*; which to thoſe whoſe Means of Life were within the Guards and Garriſons of *Oliver*, was *Oliver*'s Protection.

Do you think when a Battle is loſt, and you at the Mercy of the Enemy, it is unlawful to receive Quarter with Condition of Obedience? Or if you receive it on that Condition, do you think it Honeſty to break Promiſe, and treacherouſly murder him that gave you your Life? If that were good Doctrine, he were a fooliſh Enemy that would give Quarter to any Man.

You ſee then, that this Submiſſion to *Oliver*, or to your then Maſters, is allowed by Mr. *Hobbes* his Doctrine only to the King's faithful Party, and not to any that fought againſt him, howſoever they coloured it, by ſaying they fought for the King and Parliament; nor to any that writ or preached againſt his Cauſe, or encouraged his Adverſaries; nor to any that betrayed his Counſels, or that intercepted or decyphered any Letters of his, or of his Officers, or of any of his Party; nor to any that by any way had contributed to the Diminution of his Majeſty's Power, Eccleſiaſtical or Civil; nor does it abſolve any of them from their Allegiance. You that make it ſo heinous a Crime for a Man to ſave himſelf from violent Death, by a forced Submiſſion to an Uſurper, ſhould have conſidered what Crime it was to ſubmit voluntarily to the uſurping Parliament.

I can tell you beſides, why thoſe Words were put into his laſt Chapter, which he calls the Review. It happened at that Time that there were many honourable Perſons, that having been faithful and unblemiſhed Servants to the King, and Soldiers in his Army, had their Eſtates then ſequeſtred; of whom ſome were fled, but the Fortunes of them all were at the Mercy (not of *Oliver*, but) of the *Parliament.* Some of theſe were admitted to Compoſition, ſome not. They that compounded, though they help'd the Parliament leſs by their Compoſition, than they ſhould have done (if they had ſtood out) by their Confiſcation, yet they were ill ſpoken of, eſpecially by thoſe that had no Eſtates to loſe, nor Hope to compound. And it was for this that he added to what he had written before, this Caution, That if they would compound, they were to do it *bona fide*, without Intention of Treachery. Wherein he juſtified their Submiſſion by their former Obedience, and preſent Neceſſity; but condemned Treachery. Whereas you that pretend to abhor Atheiſm, condemn that which was done upon Neceſſity, and juſtify the Treachery: And you had Reaſon for it, that cannot otherwiſe juſtify your ſelves. Thoſe Strugglings which happened afterwards, loſt his Majeſty many a good and able Subject, and ſtrengthened *Oliver* with the Confiſcation of their Eſtates, which if they had attended the Diſcord of their Enemies, might have been ſaved.

Perhaps you will take for a Sign of Mr. *Hobbes* his ill Meaning, that his Majeſty was diſpleaſed with him. And truly I believe he was diſpleaſed for a while, but not very long. They that complained of, and miſconſtrued his Writings, were his Majeſty's good Subjects, and reputed wiſe and learned Men, and thereby obtained to have their Miſconſtruction believed for ſome little time: But the very next Summer after his coming away, two honourable Perſons of the Court that came over into *England*, aſſured him, that his Majeſty had a good Opinion of him; and others ſince have told me, that his Majeſty ſaid openly, that he thought Mr.

Hobbes never meant him Hurt. Beſides, his Majeſty hath uſed him more graciouſly than is ordinary to ſo humble a Perſon as he is, and ſo great a Delinquent as you would make him, and teſtified his Eſteem of him in his Bounty. What Argument now can you draw from hence more than this, that his Majeſty underſtood his Writings better than his Accuſers did.

I admire in the next place, upon what Ground you accuſe him (and with him all thoſe that have approved his *Leviathan)* with Atheiſm. I thought once, that that Slander had had ſome (though not firm) Ground, in that you call his a new Divinity: But for that Point he will alledge theſe Words of his *Leviathan: By which it ſeemeth to me (with Submiſſion nevertheleſs, both in this and all other Queſtions, whereof the Determination dependeth on the Scriptures, to the Interpretation of the Bible authorized by the Commonwealth, whoſe Subject I am,) that,* &c. What is there in theſe Words but Modeſty and Obedience? But you were at this Time in actual Rebellion. Mr. *Hobbes,* that holds Religion to be a Law, did in order thereto condemn the Maintenance of any of his Opinions againſt the Law; and you that reproach him for them upon your own Account, ſhould alſo have ſhewn by your own Learning, wherein the Scripture, which was his ſole Proof, was miſcited, or miſconſtrued by him; (for he ſubmitted to the Laws, that is to ſay, to the King's Doctrine, not to yours;) and not have inſulted for the Victory won by the Power of the Law, to which you were then an Enemy.

Another Argument of Atheiſm you take from his denying *immaterial* or *incorporeal Subſtances.* Let any Man impartially now compare his Religion with yours, by this very Meaſure, and judge which of the two ſavours moſt of Atheiſm.

It is by all Chriſtians confeſs'd, that God is *incomprehenſible*; that is to ſay, that there is nothing can ariſe in our Fancy from the naming of him, to reſemble him either in *Shape, Colour, Stature,* or *Nature*; there is no Idea of him; he is like nothing that we can think on: What then ought we to ſay of him? What Attributes are to be given him, not ſpeaking otherwiſe than we think, nor otherwiſe than is fit, by thoſe who mean to honour him? None but ſuch as Mr. *Hobbes* hath ſet down, namely, Expreſſions of Reverence, ſuch as are in Uſe amongſt Men for Signs of Honour, and conſequently ſignify *Goodneſs, Greatneſs,* and *Happineſs*; and either abſolutely put, as *good, holy, mighty, bleſſed, juſt, wiſe, merciful,* &c. or *ſuperlative,* as *moſt good, moſt great, moſt mighty, almighty, moſt holy,* &c. or negative, of whatſoever is not perfect, as *infinite, eternal,* and the like: and not ſuch as neither Reaſon nor Scripture hath approved for honourable. This is the Doctrine that Mr. *Hobbes* hath written, both in his *Leviathan,* and in his Book *de Cive,* and when Occaſion ſerves, maintains. What kind of Attribute I pray you is *immaterial,* or *incorporeal Subſtance?* Where do you find it in the Scripture? Whence came it hither, but from *Plato* and *Ariſtotle,* Heathens, who miſtook thoſe thin Inhabitants of the Brain they ſee in Sleep, for ſo many *incorporeal* Men; and yet allow them Motion, which is proper only to Things *corporeal?* Do you think it an Honour to God to be one of theſe? And would you learn Chriſtianity from *Plato* and *Ariſtotle?* But ſeeing there is no ſuch Word in the Scripture, how will you warrant it from natural Reaſon? Neither *Plato* nor *Ariſtotle* did ever write of, or mention an *incorporeal Spirit*; for they could not conceive how a Spirit, which in their Language was πνεῦμα (in ours *a Wind)* could be *incorporeal.* Do you underſtand the Connection of *Subſtance* and *incorporeal?* If you do, explain it in *Engliſh*; for the Words are *Latin.* It is ſomething, you'll ſay, that being *without Body, ſtands under*——. Stands under what? Will you ſay, *under Accidents?* Almoſt all the Fathers of the Church will be againſt you; and then you are an Atheiſt. Is not Mr. *Hobbes* his way of attributing to God, that only which the Scriptures attribute to him, or what is never any where taken but for Honour, much better than this bold Undertaking of yours, to *conſider* and decypher God's *Nature* to us?

For a third Argument of Atheiſm, you put, That he ſays, *Beſides the Creation of the World, there is no Argument to prove a Deity*; and, *That it cannot be evinced* *by any Argument that the World had a Beginning*; and, *That whether it had or no, is to be decided not by Argument, but by the Magiſtrate's Authority.* That it may be decided by the Scriptures, he never denied; therefore in that alſo you ſlander him. And as for Arguments from natural Reaſon, neither you, nor any other have hitherto brought any (except the Creation) that has not made it more doubtful to many Men that it was before. That which he hath written concerning ſuch Arguments, in his Book *de Corpore*, *Opinions*, ſaith he, *concerning the Nature of* Infinite *and* Eternal, *as the chiefeſt of the Fruits of Wiſdom, God hath reſerved to himſelf, and made Judges of them, thoſe Men whoſe Miniſtry he meant to uſe in the ordering of Religion; and therefore I cannot praiſe thoſe Men that brag of Demonſtration of the Beginning of the World from natural Reaſon.* And again, *Wherefore I paſs by thoſe Queſtions of* Infinite *and* Eternal, *contenting myſelf with ſuch Doctrine concerning the Beginning and Magnitude of the World, as I have learned from the Scripture, confirmed by Miracles, and from the Uſe of my Country, and from the Reverence I owe to the Law.* This, Doctor, is not ill ſaid, and yet 'tis all you ground your Slander on, which you make to ſneak vilely under a crooked Paraphraſe.

Theſe Opinions, I ſaid, were to be judged by thoſe to whom God has committed the ordering of Religion; that is, to the ſupreme Governors of the Church, that is, in *England*, to the King: By his Authority, I ſay, it ought to be decided, (not what Men ſhall think, but) what they ſhall ſay in thoſe Queſtions. And methinks you ſhould not dare to deny it; for 'tis a manifeſt Relapſe into your former Crimes.

But why do you ſtile the King by the Name of *Magiſtrate?* Do you find *Magiſtrate* to ſignify any where the Perſon that hath the Sovereign Power, or not every where the Sovereign's Officers. And I think you knew that; but you and your Fellows (your Fellows I call all thoſe that are ſo beſmeared all over with the Filth of the ſame Crime, as not to be diſtinguiſhed) meant to make your Aſſembly the Sovereign, and the King your *Magiſtrate.* I pray God you do not mean ſo ſtill, if Opportunity be preſented.

There has hitherto appeared in Mr. *Hobbes* his Doctrine no Sign of Atheiſm; and whatſoever can be inferred from the denying of *incorporeal Subſtances*, makes *Tertullian*, one of the ancienteſt of the Fathers, and moſt of the Doctors of the *Greek* Church, as much Atheiſts as he: For *Tertullian*, in his Treatiſe *de Carne Chriſti*, ſays plainly, *Omne quod eſt, corpus eſt ſui generis. Nihil eſt incorporale, niſi quod non eſt:* That is to ſay, *Whatſoever is any thing, is a Body of its kind. Nothing is incorporeal, but that which has no Being.* There are many other Places in him to the ſame Purpoſe: For that Doctrine ſerved his Turn to confute the Hereſy of them that held that Chriſt had no Body, but was a *Ghoſt:* Alſo of the Soul he ſpeaks, as of an inviſible Body. And there is an Epitome of the Doctrine of the Eaſtern Church, wherein is this, That they thought Angels and Souls were *corporeal*, and only called *incorporeal*, becauſe their Bodies were not like ours. And I have heard that a Patriarch of *Conſtantinople*, in a Council held there, did argue for the Lawfulneſs of painting Angels, from this, that they were *corporeal.* You ſee what Fellows in Atheiſm you join with Mr. *Hobbes.*

How unfeigned your own Religion is, may be argued ſtrongly, demonſtratively, from your Behaviour that I have already recited. Do you think, you that have committed ſo abominable Sins, not through Infirmity, or ſudden Tranſport of Paſſion, but premeditately, wilfully, for twenty Years together, that any rational Man can think you believe your ſelves, when you preach of Heaven and Hell, or that you do not believe one another to be Cheats and Impoſtors, and to laugh at ſilly People in your Sleeves for believing you; or that you applaud not your own Wit for it; though for my part I could never conceive that very much Wit was requiſite for the making of a Knave. And in the Pulpit moſt of you have been a Scandal to Chriſtianity, by preaching up Sedition, and crying down moral Virtue. You ſhould have preached againſt unjuſt *Ambition, Covetouſneſs, Gluttony, Malice, Diſobedience to Government, Fraud,* and *Hypocriſy:* But for the moſt part you preached your own Controverſies, about who ſhould be uppermoſt, or other fruitleſs and unedifying Doctrines. When did any of you preach againſt *Hypocriſy?* You dare not in the Pulpit, I think, ſo much as name it, leſt you ſet the Church a laughing: And you in particular, when you ſaid in a Sermon, that *Sophos* was not in *Homer*; what Edification could the People have from that, though it had been true, as 'tis falſe? for it is in his *Illiad, lib.* 15. *v.* 363. Another I heard make half his Sermon of this Doctrine, That *God never ſent a great Deliverance, but in a great Danger:* Which is indeed true, becauſe the Greatneſs of the Danger makes the Greatneſs of the Deliverance, but for the ſame Cauſe ridiculous; and the other half he took to conſtrue the *Greek* of his Text: And yet ſuch Sermons are much applauded. But why? Firſt, Becauſe they make not the People aſhamed of any Vice. Secondly, Becauſe they like the Preacher, for uſing to find Fault with the Government or Governors. Thirdly, For their Vehemence, which they miſtake for Zeal. Fourthly, For their Zeal to their own Ends, which they miſtake for Zeal to God's Worſhip. I have heard beſides divers Sermons made by Fanaticks, young Men, and whom by that, and their Habit, I imagined to be Apprentices; and found little Difference between their Sermons, and the Sermons of ſuch as you, either in reſpect of Wiſdom, or Eloquence, or Vehemence, or Applauſe of common People.

Therefore I wonder how you can pretend (as you do in your Petition, for a Diſpenſation from the Ceremonies of the Church) to be either better Preachers than thoſe that conform, or to have tenderer Conſciences than other Men. You that have covered ſuch black Deſigns with the ſacred Words of Scripture, why can you not as well find in your Hearts to cover a black Gown with a white Surplice? or what Idolatry do you find in making the Sign of the Croſs, when the Law commands it? Though I think you may conform without Sin, yet I think you might have been alſo diſpenſed with without Sin, if you had diſpenſed in like manner with other Miniſters that ſubſcribed to the Articles of the Church. And if Tenderneſs of Conſcience be a good Plea, you muſt give Mr. *Hobbes* alſo Leave to plead Tenderneſs of Conſcience to his new Divinity, as well as you. I ſhould wonder alſo, how any of you ſhould dare to ſpeak to a Multitude met together, without being limited by his Majeſty what they ſhall ſay, eſpecially now that we have felt the Smart of it, but that it is a Relick of the eccleſiaſtical Policy of the Popes, that found it neceſſary for the disjoyning of the People from their too cloſe Adherence to their Kings, or other Civil Governors.

But it may be you will ſay, That the reſt of the Clergy, Biſhops, and epiſcopal Men, no Friends of yours, and againſt whoſe Office Mr. *Hobbes* never writ any thing, ſpeak no better of his Religion than you do.

'Tis true, he never wrote againſt Epiſcopacy; and it is his private Opinion, that ſuch an Epiſcopacy as is now in *England*, is the moſt commodious that a Chriſtian King can uſe for the governing of Chriſt's Flock, the miſgoverning whereof the King is to anſwer for to Chriſt, as the Biſhops are to anſwer for their Miſgovernment to the King, and to God alſo. Nor ever ſpake he ill of any of them, as to their Perſons: Therefore I ſhould wonder the more at the uncharitable Cenſure of ſome of them, but that I ſee a Relick ſtill remaining of the Venom of Popiſh Ambition, lurking in that ſeditious *Diſtinction* and *Diviſion* between the Power *Spiritual* and *Civil*, which they that are in love with a Power to hurt all thoſe that ſtand in Competition with them for Learning (as the *Roman* Clergy had to hurt *Galileo*) do not willingly forſake. All Biſhops are not in every Point like one another. Some it may be are content to hold their Authority from the King's Letters Patents; and theſe have no Cauſe to be angry with Mr. *Hobbes*. Others will needs have ſomewhat more, they know not what, of divine Right, to govern by Virtue of *Impoſition of Hands*, and *Conſecration*, not acknowledging their Power from the King, but immediately from Chriſt. And theſe perhaps are they that are diſpleaſed with him, which he cannot help, nor has deſerved; but will for all that believe the King only, and without Sharers, to be the Head of all the Churches within his own Dominions; and that he may diſpenſe with Ceremonies, or with any thing elſe that is not againſt the Scriptures, nor againſt natural Equity; and

that

that the Conſent of the Lords and Commons cannot now give him that Power, but declare for the People their Advice and Conſent to it. Nor can he be made believe that the Safety of a State depends upon the Safety of the Church, I mean, of the Clergy: For neither is a Clergy eſſential to a Commonwealth; and thoſe Miniſters that preached Sedition pretend to be of the Clergy, as well as the beſt. He believes rather that the Safety of the Church depends on the Safety of the King, and the Entireneſs of the Sovereign Power; and that the King is no part of the Flock of any Miniſter or Biſhop, no more than the Shepherd is of his Sheep, but of Chriſt only; and all the Clergy, as well as the People, the King's Flock. Nor can that Clamour of his Adverſaries make Mr. *Hobbes* think himſelf a worſe Chriſtian than the beſt of them. And how will you diſprove it, either by his Diſobedience to the Laws *Civil*, or *Eccleſiaſtical*, or by any ugly Action? Or how will you prove that the Obedience which ſprings from Scorn of Injuſtice, is leſs acceptable to God, than that which proceeds from Fear of Puniſhment, or Hope of Benefit. Gravity and Heavineſs of Countenance are not ſo good Marks of Aſſurance of God's Favour, as cheerful, charitable, and upright Behaviour towards Men, which are better Signs of Religion than the zealous maintaining of controverted Doctrines. And therefore I am verily perſuaded, it was not his Divinity that diſpleaſed you or them, but ſomewhat elſe, which you are not willing to pretend. As for your Party, that which angred you, I believe, was this Paſſage of his *Leviathan: Whereas ſome Men have pretended for their Diſobedience to their Sovereign, a new Covenant made, not with Men, but with God; this alſo is unjuſt: For there is no Covenant with God, but by Mediation of ſomebody that repreſenteth God's Perſon; which none doth but God's Lieutenant, who hath the Sovereignty under God: But this Pretence of Covenant with God is ſo evident a Lye* (this is it that angered you) *even in the Pretenders own Conſciences, that it is not only an Act of an unjuſt, but alſo of a vile and unmanly Diſpoſition.*

Beſides his making the King Judge of Doctrines to be preached or publiſhed, hath offended you both; ſo has alſo his attributing to the Civil Sovereign all Power *Sacerdotal*. But this perhaps may ſeem hard, when the Sovereignty is in a Queen: But it is becauſe you are not ſubtle enough to perceive, that though *Man* be *Male* and *Female*, *Authority* is not. To pleaſe neither Party is eaſy; but to pleaſe both, unleſs you could better agree amongſt your ſelves than you do, is impoſſible. Your Differences have troubled the Kingdom, as if you were the Houſes revived of *York* and *Lancaſter*. A Man would wonder how a little *Latin* and *Greek* ſhould work ſo mightily, when the Scriptures are in *Engliſh*, as that the King and Parliament can hardly keep you quiet, eſpecially in Time of Danger from abroad. If you will needs quarrel, decide it amongſt your ſelves, and draw not the People into your Parties.

You were angry alſo for his blaming the ſcholaſtical Philoſophers, and denying ſuch fine Things as theſe: *That the* Species *or* Apparences *of Bodies come from the Thing we look on, into the Eye, and ſo make us ſee; and into the Underſtanding, to make us underſtand; and into the Memory, to make us remember. That a Body may be juſt the ſame it was, and yet bigger or leſſer. That* Eternity *is a permanent Now*; and the like. *And for detecting, further than you thought fit, the Fraud of the* Roman *Clergy*. Your Diſlike of his Divinity was the leaſt Cauſe of your calling him Atheiſt. But no more of this now.

The next Head of your Contumelies is to make him contemptible, and to move Mr. *Boyle* to pity him. This is a way of railing too much beaten to be thought *witty*. As for the Thing itſelf, I doubt your Intelligence is not good, and that your Algebricians, and Nonconformiſts, do but feign it, to comfort one another. For your own Part, you contemn him not, or elſe you did very fooliſhly to entitle the beginning of your Book, *Mr. Hobbes conſidered*; which argues he is conſiderable enough to you. Beſides, 'tis no Argument of Contempt, to ſpend upon him ſo many angry Lines as would have furniſh'd you with a dozen of Sermons: If you had in good Earneſt deſpiſed him, you would have let him alone, as he does Dr. *Ward*, Mr. *Baxter*, *Pike*, and others, that have reviled him, as you do. As for his Reputation beyond the Seas, it fades not yet: And becauſe perhaps you have no means to know it, I will cite you a Paſſage of an Epiſtle, written by a learned *Frenchman* to an eminent Perſon in *France*, a Paſſage not impertinent to the Point now in Queſtion. It is in a Volume of Epiſtles, the fourth in Order, and the Words, concerning Chymiſts, are theſe: *Truly, Sir, as much as I admire them, when I ſee them lute an Albemick handſomely, philter a Liquor, build an Athanor, ſo much I miſlike them when I hear them diſcourſe upon the Subject of their Operations; and yet they think all they do, is nothing in reſpect of what they ſay: I wiſh they would take leſs Pains, and be at leſs Charges; and whilſt they waſh their Hands after their Work, they would leave to thoſe that attend to the poliſhing of their Diſcourſe, I mean, the* Galileos, *the* Diſcarteſes, *the* Hobbeſes, *the* Bacons, *and the* Gaſſendis, *to reaſon upon their Work, and themſelves to hear what the Learned and Judicious ſhall tell them, ſuch as are uſed to diſcern the Differences of Things. Quam ſit uterque libens cenſebo exerceat artem.* And more to the ſame Purpoſe.

What is here ſaid of Chymiſts, is applicable to all other Mechanicks.

Every Man that hath ſpare Money, can get Furnaces, and buy Coals. Every Man that hath ſpare Money, can be at the Charge of making great Moulds, and hiring Workmen to grind their Glaſſes; and ſo may have the beſt and greateſt Teleſcopes: They can get Engines made, and apply them to the Stars; Recipients made, and try Concluſions; but they are never the more Philoſophers for all this. 'Tis laudable, I confeſs, to beſtow Money upon curious or uſeful Delights; but that is none of the Praiſes of a Philoſopher. And yet, becauſe the Multitude cannot judge, they will paſs with the Unſkilful, for ſkilful in all Parts of natural Philoſophy. And I hear now that *Hugenius* and *Euſtachio Divini* are to be tried by their Glaſſes, who is the more ſkilful in *Optics* of the two; but for my Part, before Mr. *Hobbes* his Book *De Homine* came forth, I never ſaw any thing written of that Subject intelligibly. Do not you tell me now, according to your wonted Ingenuity, that I never ſaw *Euclid*'s, *Vitellio*'s, and many other Men's *Optics*; as if I could not diſtinguiſh between *Geometry* and *Optics*.

So alſo of all other Arts; not every one that brings from beyond Seas a new Gin, or other janty Device, is therefore a Philoſopher: For if you reckon that way, not only Apothecaries and Gardeners, but many other ſorts of Workmen, will put in for, and get the Prize. Then, when I ſee the Gentlemen of *Greſham*-College apply themſelves to the Doctrine of Motion, (as Mr. *Hobbes* has done, and will be ready to help them in it, if they pleaſe, and ſo long as they uſe him civilly) I will look to know ſome natural Events from them, and their Regiſter, and not before: For Nature does nothing but by Motion.

I hear that the Reaſon given by Mr. *Hobbes*, why the Drop of Glaſs ſo much wonder'd at, ſhivers into ſo many Pieces, by breaking only one ſmall part of it, is approved for probable, and regiſter'd in their College: But he has no reaſon to take it for a Favour, becauſe hereafter the Invention may be taken by that Means not for his, but theirs.

To the reſt of your Calumnies the Anſwers will be ſhort, and ſuch as you might eaſily have foreſeen. And firſt, for his boaſting of his Learning, it is well ſumm'd up by you in theſe Words: *'Twas a Motion made by one (whom I will not name) that ſome idle Perſon ſhould read over all his Books, and collecting together his arrogant and ſupercilious Speeches, applauding himſelf, and deſpiſing all other Men, ſet them forth in one Synopſis, with this Title,* Hobbius de ſe. *What a pretty piece of Pageantry this would make, I ſhall leave to your own Thoughts.*

Thus ſay you: Now ſays Mr. *Hobbes*, or I for him, Let your idle Perſon do it, and ſet down no more than he has written, (as high Praiſes as they be) I'll promiſe you he ſhall acknowledge them under his Hand, and be commended for it, and you ſcorned. A certain *Roman* Senator, having propounded ſomething in the Aſſembly of the People, which they miſliking made a Noiſe at, boldly bad them hold their Peace, and told them he knew better what was good for the Commonwealth than all they: And his Words are tranſmitted to us as an Argument of his Virtue; ſo much do Truth and Vanity alter the Complection of Self-praiſe. Beſides, you can have very little Skill in Morality, that cannot ſee the Juſtice of commending a Man's ſelf, as well as of any thing elſe, in his own Defence: And it was want of Prudence in you, to conſtrain him to a Thing that would ſo much diſpleaſe you. That part of his Self-praiſe which moſt offends you, is in the End of his *Leviathan*, in theſe Words: *Therefore I think it may be profitably printed, and more profitably taught in the Univerſities, in caſe they alſo think ſo, to whom the Judgment of the ſame belongeth.* Let any Man conſider the Truth of it. Where did thoſe Miniſters learn their ſeditious Doctrine, and to preach it, but there? Where therefore ſhould Preachers learn to teach Loyalty, but there? And if your Principles produced Civil War, muſt not the contrary Principles, which are his, produce Peace? And conſequently his Book, as far as it handles Civil Doctrine, deſerves to be taught there: But when can this be done? When you ſhall have no longer an Army ready to maintain the evil Doctrine wherewith you have infected the People. By a ready Army I mean Arms, and Money, and Men enough, though not yet in Pay, and put under Officers, yet gathered together in one Place or City, to be put under Officers armed, and payed on any ſudden Occaſion; ſuch as are the People of a great and populous Town. Every great City is as a ſtanding Army, which if it be not under the Sovereign's Command, the People are miſerable; if they be, they may be taught their Duties in the Univerſities ſafely and eaſily, and be happy. I never read of any Chriſtian King that was a Tyrant, though the beſt of Kings have been called ſo.

Then for the *Moroſity* and *Peeviſhneſs* you charge him with, all that know him familiarly, know 'tis a falſe Accuſation. But you mean, it may be, only towards thoſe that argue againſt his Opinion: But neither is that true. When vain and ignorant young Scholars, unknown to him before, come to him on purpoſe to argue with him, and to extort Applauſe for their fooliſh Opinions, and miſſing of their End, fall into undiſcreet and uncivil Expreſſions, and he then appear not very well contented, 'tis not his *Moroſity*, but their *Vanity* that ſhould be blamed. But what Humour (if not Moroſity and Peeviſhneſs) was that of yours, whom he never had injured, or ſeen, or heard of, to uſe toward him ſuch inſolent, injurious, and clowniſh Words, as you did in your abſurd *Elenchus*?

Was it not Impatience of ſeeing any diſſent from you in Opinion? Mr. *Hobbes* has been always far from provoking any Man, though when he is provok'd, you find his Pen as ſharp as yours.

Again, when you make his Age a Reproach to him, and ſhew no Cauſe that might impair the Faculties of his Mind but only Age, I admire how you ſaw not that you reproached all old Men in the World as much as him, and warranted all young Men, at a certain Time, which they themſelves ſhall define, to call you *Fool*. Your Diſlike of old Age, you have alſo otherwiſe ſufficiently ſignified, in venturing ſo fairly as you have done to eſcape it. But that is no great Matter to one that hath ſo many Marks upon him of much greater Reproaches. By Mr. *Hobbes* his Calculation, that derives Prudence from Experience, and Experience from Age, you are a very young Man; but by your own reckoning, you are older already than *Methuſelah*.

Laſtly, who told you that he writ againſt Mr. *Boyle*, whom in his Writing he never mentioned? And that it was becauſe Mr. *Boyle* was acquainted with you? I know the contrary. I have heard him wiſh it had been ſome Perſon of lower Condition that had been the Author of the Doctrine which he oppoſed, and therefore oppoſed becauſe it was falſe, and becauſe his own could not otherwiſe be defended. But thus much I think is true, that he thought never the better of his Judgment, for miſtaking you for Learned. This is all I thought fit to anſwer for him and his Manners. The reſt is of his Geometry and Philoſophy, concerning which, I ſay only this, that there is too much in your Book to be confuted: Almoſt every Line may be diſproved, or ought to be reprehended. In ſum, it is all Error and Railing, that is, *ſtinking Wind*, ſuch as a Jade lets fly when he is too hard girt upon a full Belly. I have done. I have conſidered you now, but will not again, whatſoever Preferment any of your Friends ſhall procure you.

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